# Danatian

# CONFRE,

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HONOLULU, H. T., FRIDAY, NOVEMBER . 10 1903-SEMI-WEEKLY,

WHOLE No. 2588.

## UNITED STATES JUDGE DOLE BEGINS WORK WITH GOOD WISHES OF THE BAR

Lawyers and Laity Assemble to Do Honor to Hawaii's First Citizen on His Return to the Bench.

The assumption of office by Sanford B. Dole, the retiring Governor, no Judge of the United States Court was given as much simplicity as possible on the part of the principal figure, but nothing could diminish the impressiveness naturally accruing to the event nor detract from a public interest that was spontaneous.

Within the courtroom were assembled in dense multitude the rich and the poor, whose rights Judge Dole was about to swear he would equally protect. Amidst American citizens of various races and color tones were mingled Asiatic and other aliens from all ends of earth. There were present successors of Judge Dole in the Territorfat Judiciary and colleagues and ministers of his in the various government regimes he had conducted for nigh eleven years. Many of the leading business men of the community and a large contingent of both houses of the Legislature went to swell the throng forming an impenetrable mass throughout the entire standing room.

The hall uself was vibrant of historical associations. Sovereigns of Hawall came there in great pomp to open and close the Legislature. It was the principal courtroom of the Supreme Court under the monarchy, as it later became that of the first United States tribugal ever erected in Hawali.

sides a large representation of the

B. B. Dole, Mrs. W. E. Frent, Attorney General and Mrs. Andrews, Mrs and Mrs. A. G. Hawes, Jr., Mr. and Mrs. E. J. Walker, former Ministers B. M. Daman and L. A. Thurston, former Justice W. A. Whiting, former Attorney General E. P. Dole, former Superintendent of Public Works. J. A. McCandless, Senator L. L. McCandless, the Circult Judges and a large number of business men. Seats were reserved for the ladies to the right of the bench, with one chair vacant and draped in mourning for the widow of Judge Estee. To the left the grand jurors occupied the jury box. A splendid bouquet decorated the bench deak.

The report of the proceedings here following is official from the hands of Court Stenographer J. D. Avery, up to the close of Judge Hartwell's address and to that extent of especial interest as the first record of the Federal court under the presidency of Judge Dole.

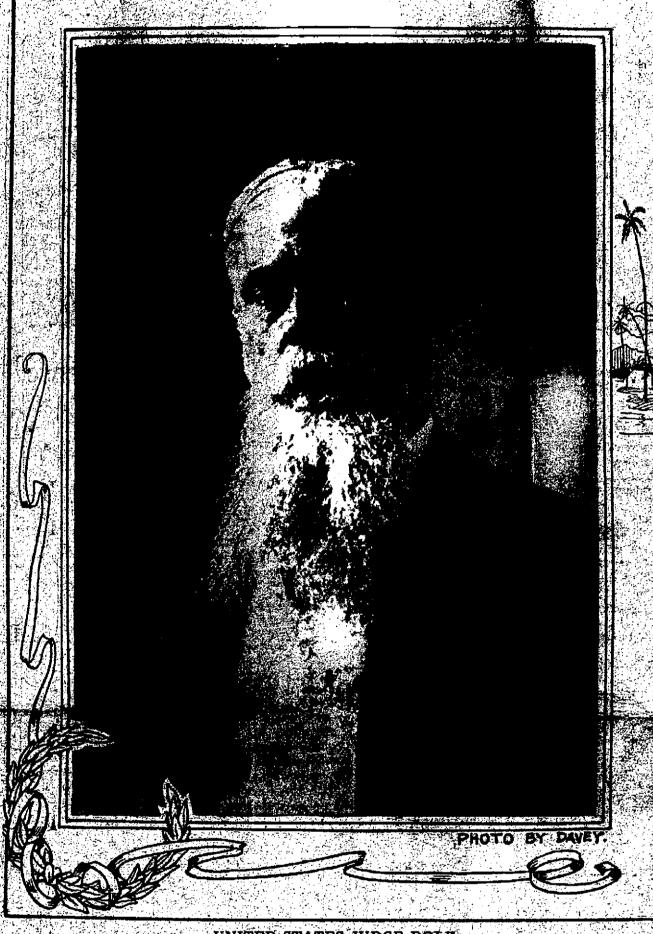
### INITIAL PROCEEDINGS.

In the United States District Court in and for the Territory of Hawail. October term. Hon. Sanford B. Dole,

In the matter of the Inauguration of Judge Sanford B. Dole.

Hopolulu, H. T., Nov. 18, 1903, Be it remembered that on this eighteenth day of November, A. D. 1903, at ten o'clock a. m. of said day. Honorable Bar ford Ballard Dole, having takand subscribed to the oath of office as required by law and Chief Justice Frear of the Supreme Court of Hawali after a in mistering said oath, having subscribe his name thereto in the Courtroise of the United States. District Court for the Territory of Hawaii, and mid Henorable Sanford B. Dole having thereby qualified as Judge of said Comm. the following proceedings

were had The Swift Sonn Court, Mr. Marshat. U. F Marks & F Herd : Hear Te. hear you a controlled the controlled with the Protable Description of the Territory of Hama at a desminant site nour



UNITED STATES JUDGE DOLB

Court and with that object. I desire

upon this community.
It is appropriate that reference should be made at this time to your fong public service during the years that you have labored for this tommunity. It is no light thing to render long years of continuous honorable service to the public. In resuming your judicial duties, we feel sure, we have the greatest confidence that the same high regard for the great principles of justice, judgment and mercy as have characterized your public career terday accusing Kepolkal of breaking never been, and is not now, the pracin the past will be exercised in your faith in the matter of his resignation: tice in the United States for officials new judicial position without fear or new judicial position without fear or

Of the three departments, the Executive. Legislative and Judicial, none is higher than the Judicial. The great duty of a court is to do justice between man and man. In our history of the Hawaiian courts there has always been great confidence. They have maintained a character which has intimate that I have broken faith with a beats for his impeachment, which been the secure safeguard of justice and the bulwark of the rights of the people and have exrued the respect of sign. the world and we feel that under this You are entirely in error in your appointment the confidence will be maintained.

On behalf of the bar I take great pleasure in presenting these sentiments to withdraw and leave you free to of welcome and appreciation. One or two of the older members of the bar would work with you, and in whom have been requested on this occasion you could repose every confidence." to also address your Honor. Mr. Hartwell, the senior member, and also what occurred upon the o ir occasion Mr. Cecil Brown, who stands next on when the topic of resignations was dis-the roll of the attorners practicing in cussed between us. I was then the the Supreme Court of Hawaii will ad- first to inform you that Mr. Tooper

BY JUDGE HARTWELL

so A. S. Hartwell: Judge Doc. s had so many evil things said in to during the past ten r dis en a that it is proper on the mork you have so ! R . you should be a

merely by partisans. γ

## to express their pleasure and the honor KEPOIKAL DENIES THAT HE which your appointment has conferred KEPOIKAL DENIES. HAD PROMISED TO RESIGN

At one o'clock this morning Treasure fixed by law, and he did not know what following copy of a letter written to gard to resignations under such cir-cumstances.

Hob. George R. Carter in response to Upon further inquiry and study on

Territory of Hawaii, Treasurer's Office, Honolulu, November 18, 1903.

Honolulu, November 18, 1903, priors, or even of the Chief Executive Hon. George R. Carter, Acting Governor the Union, or of a State, ernor of the Territory, Honolulu. Lat me cite a few instances in sup-Sir:-- Your second letter of this date you, and have broken my positive soon followed, promise to you, in so declining to re-

statement that I at any time,-much less on two occasions,-made the statement to you "that it was my intention select such heads of Departments as Let me recall to your memory just

had resigned his office as Super ntendent of Public Works, and is sted to one that Mr. Cooper had remarked to nat his reason for so resigning was

wice you a free hand." Then askthe what was meant by that o remarked that you are resignations of all the heads. onts. I replied to that sugor ollower "Well, if such is the resignation will be ready

er time." ; edictely thereafter I snoke with o war I wie an the subject who esf Hamail is made up . . . . as that I was under no obligha resign, as my official tenute vas

er Kepokal sent to the Advertiser the was the practice usually pursued in re-

the latter's final communication of yes- my part, I am convinced that it has tenure, to resign those offices upon a change in the personnel of their supe

Sir:—Your second letter of this date port of this contention. When Pres-is before me, wherein, in responding to ident Johnson undertook to out Mr. my letter of declination to resign the Branton from the position of Secretary office of Treasurer of the Territory, you of War, in 1887, his act was alleged as

In 1887, when Governor Washington Bartlett, of California, died, and was succeeded by Lt. Gov. Markham, there was no suggestion of resignations from any of the appointees of Governor Bartlett, other than his personal statt. And such has been and is the current of practice and precedent in America, in such cases.

I respectfully invite you to cite a single case wherein an executive State or Territorial officer has resigned office held by him, to which he was pointed for a fixed period, and which he could not be removed a with the concurrent action of the Co-Executive and some co-ordinate a thority, upon the mere request of the successor of the official by whom is was appointed.

While admitting the practice of rea ignations being usually tendered in Cabinet officers, and others of the o fidential relations to the Execut - "it on a change in the executive conta yet this practice has never exter tod beyond the circle of officials holdlag atthe pleasure of the executive,-which I understand to be now the law in re-

(Continued on page 4.)

# A POLICEMAN'S LIFE IS TAKEN

### Chinese Chicken Thief Arrests a and is Murdered in Cold Blood.

A Chinese chicken thief murdered a police officer in cold blood just off Liliha street at a few minutes before eleven o'clock last night within sight of dozens of people. While he was being captured, Charles Clark, Jr., a son of the well-known Charley Clark, was accidentally shot in the elbow. Two young sons of Capt. Robert Parker jumped into the melee and secured the murderer, who later gave his name as Ho Young.

The police patrol wagon, with officers, was on the scene of the shooting within a few minutes. The murderer, his face badly battered, was immediately taken to the police station and locked up. The body of the murdered policemen was also taken there and laid out on the floor of the jail.

The murderer, a small, wiry fellow, presented a horrible sight when he was dragged up to the clerk's desk. His clothes were covered with mud and blood and stolen eggs had broken in his pockets. His face was a mass of blood, so much so in fact that he could hardly see. As he was lined up an officer passed to the clerk one of the chickens that he had stolen. Ho Young was quickly put in a cell.

The dead policeman is J. W. Mahelona, a native, who has been on the force but a comparatively short time. He was a Custom House Guard during the time of the Republic.

The murder took place in a big open lot bounded by wooden houses which face on Lilins street and near what will be Kukut street, when the latter is extended. This open lot is quite large and last night was covered with mud.

# CLARK, JR.'S

ran and found Mahelona and told of the man. He came back with me and we found the Chinaman in some bushes back of Lilins street. The police-man said Here, you, and told him to come out. It was very dark. The poficeman had his revolver out. The Chinaman kept saving 'all light' but did not come out and the policeman went in and dragged him out. He had eggs in his pockets and two chickens in his bag. We took him out on the street and started for the police call box. I met the Parker boys and told them that I thought a man had tried to do me up. When we got near the nierm box the Chineman said he had more chickens back there in a bag. He said he would show them to the police-We told the policeman to search the Chinaman but he did not do so and when we got in back of a building off Liliha street it was muddy. The Chinaman said a liftle fardy. The Chinaman said 'a liftle far-on was not found. Young Clarke says ther on.' We stopped there and the that when he got hold of the murder-Chinaman took the policeman down in back of buildings about thirty yards

away. Soon we heard a shot. heard Mahelona groaning and I ran to him. He was struggling with the Chinaman. I jumped in and put my arms around the Chinaman. I grabbed the hand which held a revolver and while I was struggling with him Mahelona fell down on the ground and commenced shooting at the Chinaman. I had my arms around the Chinaman and one of Mahelona's shots struck the in the elbow. I had to let go that arm but kept hold of the Chinaman's other hand. I kept calling for the Parker boys to come to my assistance, . The policeman fired four shots and was then quiet. The Parker boys ran in and we overpowered the Chinaman. A et of people came around and we -carched the Chinaman but could not and his gum. Then they sent for the police and I went to the hospital."

Mahelona fell in a pool of his own blood. He was dead when the patrol wagon, which had been rushed to the scene, reached it. His body was placed in the wagon and taken to the police

station and later sent to the morroe

where Dr. McDonald held an autopsy. Policemen put Ho Young in a cab and harried him to the police station. STATEMENT HE Was a northle agent with his face bring agent with his fa

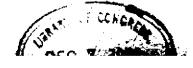
An Advertiser reporter visited that searched into the police station and searched but nothing was found on his ley Clark, it, at the Queen's hospital personnessent broken eggs in his sockaster militaint and got the following sets. The police recognised him as a statement brokening the margler: felicken thing who has several times 'I was just going to my father's been caught by Deputy Sheriff Chil-lingworth and Detective Kacpa. The place in Buckler's lane. I got off the murderer was taken to a cell his clothes Liliha street car and took a short cut stripped from him, and men went to to our home. When I got as far as work to wash the blood off his person. our gate a Chinaman came running out They found his face badly battered and of it straight at me I got scared and discovered that a shot had made a ran back to Liliha street. I met Apa was given clean blankets to sleep in as, the Chinese special policeman, and but his clothes were taken away from asked him where a regular policeman him as it was feared he might attempt was. He said down the street and I to commit suicide. An officer was also told off to watch his cell during the night. Ho Young vigorously denied that he had fired the shot which killed the policeman and declared he did not know how the latter met his death.

'Mahelona's body was brought into the courtyard of the jail. It was found that a shot had entered just below the left side of his jaw, tearing its way up through the neck and burying it-

self somewhere in the head One of the murderers' hands has at some time been crushed off so that be is unable to work with more than one hand and he did the shooting with that. Although the revolver belonging to the policeman was found immediately after the shooting the murderer's wearer's hand he felt a revolver and thatthis must have been thrown away by the Chinaman during the scallle. When Clarke received his wound be had to release the hold of one of his hands and in doing so the Chinaman nearly got away but despite the continued shooting by the dying pollocman he made a brave struggle to prevent the murderer's escape. As the Chinaman wrenched himself loose he slesed his cue and held on to this until the Parker boys came to the rescue.

Although Clark was taken to the hospital it was found about one o'clock this morning that he would be able to leave it and return to his home as he had only received a slight wound.

High Sheriff Brown and Deputy Sheriff Offilith worth visited the scene of the murder. With a number of men they mearched through the muddy lot but were unable to locate the missing revolver. At the time of the abooting the place where it occurred was probably the darkest in Honolulu. The policemen who accompanied the thirf had to feel his way, as he could not see. Under a near-by house the police found two sacks that had been used by Ho Toung in his depredations or the fawlgards of the vicinity. It is thought the revolver will be found as soon as daylight comes and men are waiting there to secure it as it will be an important piece of evidence.



## KEPOIKAI WON'T RESIGN

### His With Secretary Carter.

Acting Governor Carter, on coming to the responsibility of that position yesterday, was disappointed in his expectation, expressed on Tuesday evening of receiving the resignation of Treasurer Kepolkal. The correspondence printed below exhibits the present situation—one that has the genuine hue of an oldtime cabinet, crisis.

In the meantime Mr. Carter is acting up to his declaration that he would do nothing which was not absolutely necessary pending the arrival of his commission as Governor.

Yesterday afternoon the Acting Govinformed Clarence M. White, Chief Clerk, that he would not assume administration of the Department of Public Works, in its ordinary details, for the present. Business other than clerical routine would await the appointment of a head to the department. Mr. White is therefore in charge of whatever business may be transacted in the meantime.

The letters that passed between Messrs. Carter and Kepokkal yesterday were as follows:

### CARTER TO KEPOIKAL Hon. A. N. Kepoikai, Tressurer of the

Territory. 'Dear Sir:—As you are aware Gov ernor Dole has taken his oath as Federal Judge, and thereby his resignation

as Governor becomes effective. "I have not yet, and do not now ask you to resign, but before I accept the responsibility as Acting Governor it is necessary for you to take some definite action. Further delay on your part will not only eripple my Administration (which is a small matter). but will seriously hamper and delay the machinery of the government in many of its departments and greatly inconvenience the public, for all of which I must decline to be responsible.

"Sincerely yours, "GEORGE R. CARTER."

### KEPOIKAI TO CARTER.

"Hon. George R. Carter, Acting Governor, Territory of Hawaii.

"Sir:-Yours of this sate marked personal is received, wherein you reminded me that Governor Dole, having entered upon his judicial duties his resignation as Governor has become effective—you meaning thereby to convey the impression that you have succeeded to the Executive chair, de facto

"You assert that you have not yet. and do not now ask me to resign my office as Treasurer of the Territorybut assure me that it is necessary for me to take some definite action, pretion-before your acceptance of the and delay the machinery of the government in many of its departments and greatly inconvenience the public, for all of which you must decline to be responsible.\*

"Responding to the above. I do not any definite action' in the premises, and I must respectfully dissent from the proposition that my resignation or failure to resign, my office, can in any logical or reasonable sense cripple, or delay, or hamper the machinery of the government in any of its departments,' or that such action or non-action on my part would or could greatly or at all inconvenience the public; and I note your entire failure to specify any of the particulars wherein such results or any of them could reasonably be expected to follow either my adhering to or resigning my present office.

Let me remind you that I hold my office under a definite tenure of four years from the date of my appointment that I have been confirmed by the Hawaiian Senate, and commissioned in due form of law-under the provisions of the Organic Act.

"There is no suggestion in any of your intercourse with me, that I have been guilty of any official impropriety or incompetence. Wherefore I fail to recognize either the necessity or the propriety of renouncing my office. which is one of honor, as well as of emolument, and one which any citizen of Hawaii may take a just pride in holding; and, in the discharge of the duties whereof, I am conscious of having committed neither violations of the law, nor deviations from official discretion or courtesy.

erations, too numerous to be here even epitomized. I am constrained to inform you that I have resolved to remain in my present office, under the terms of my appointment and commission there-

### "Treasurer, Territory of Hawaii."

"A. N. Kepoikai, Esq., Honolulu. "Dear Sir:-I have received your let me, that it was your intention to withheads of departments as would work

> "Sincerely yours, "GEORGE R. CARTER."

# INSPECTORS'

## Correspondence Will Receive \$100 a Month From Dec. 1.

The order of business for yesterday's meeting of the Board of Health was largely of a routine nature. After the set items had been disposed of, Mr. Robinson asked if it was expected the members should resign their commissions to the new Territorial administration.

Dr. Cooper replied with a negative opinion, saying he understood the act was only desired of heads of departments. His own resignation was handed in two weeks ago, as that of the head of the department and a salaried official. Members holding honorary commissions he thought had no occasion for resigning.

Those present weps: Dr. C. B. Cooper, president; Fred C. Smith, Dr. W. H. Mays, Mark P. Robinson, E. C. Winston and Attorney General Andrews, members; Dr. J. S. B. Pratt, chief health officer; C. Charlock, secretary, and Miss Mae Weir, stenographer.

John Cassidy's bid of \$5000 to construct the Molokal telephone line was formally accepted, and the contract awarded to the bidder by the president last week confirmed.

### LAHAINA REGULATIONS.

Letters from Dr. Molony, government physician, and L. M. Vetlesen, sanitary inspector, discussing the proposed sanitary regulations for Labaina, were

Dr. Cooper stated the difficulties in the way of prescribing drainage of tenements near the beach into the sea. Unless the owners united in constructing a common sewer he did not know how it could be done. It was a hard matter to handle.

Dr. Pratt explained his idea in making the recommendation on which the proposed regulation was based. This was to have a pipe run down to the beach with lateral drains from houses connected therewith.

Dr. Cooper spoke of the difficulty of ordering a compulsory sewerage system for Lahains, until the Legislature should see fit to make provision for a general system.

Other of the regulations were considered, such as those relating to the sale of fish and disposal of garbage. The draft and communications were finally on motion of Mr. Andrews, referred to a committee consisting of the medical members.

### RAISE OF SALARIES.

The sanitary inspectors of Honolulu had their pay raised at the suggestion of the president

Dr. Cooper, after the sanitary reports sumably in reference to such resigna- for October had been read, brought up the matter. He said one of the fourresponsibility as Acting Governor, of teen inspectors had resigned and andirecting the policy of the government, other gone to the Coast, leaving twelve etc., etc., also that further delay on which, he said in answer to a question, my part will not only cripple the Ad- were sufficient to cover the city. The ministration, but will seriously hamper inspectors had been receiving \$85 a month, a poor living for a family, and he recommended that their pay be increased to \$100 a month from the first of December.

Mr. Robinson said an inspector had complained to him that morning of not island. Cornwell and Louzada were recognize the 'necessity' of my 'taking having received his due pro rata of salary the past month, and stated that very succession, much in their succession, much in the succession in th making complaint.

Dr. Cooper remarked that any inspector who was dissatisfied had only to return his badge. There were pleaty of good men waiting to take the

On motion of Mr. Winston, seconded by Mr. Smith, the salaries of inspectors were raised to \$100 a month after November.

The secretary reported that there would be a surplus of \$38 in the inspection fund under the six months appropriation. Mr. Winston moved. seconded by Mr. Smith, and it was carried, that the president divide the surplus money among the inspectors. REPORTS.

commissioner, the chief health officer, the manitary inspectors, the plumbing inspector and the sanitary inspectors the first trouble between the King and of Lahaina and Hijo.

Two letters were received from Dr. L. E. Cofer, chief quarantine officer, reporting health conditions in the Orient. The latest showed as follows:

Yokohama, two weeks to Oct. 24.-Kobe, two weeks to October 28 .-

Hongkong, two weeks to October 20. Plague cases, 4; deaths, 4. Nagasaki, two weeks to October 28.-

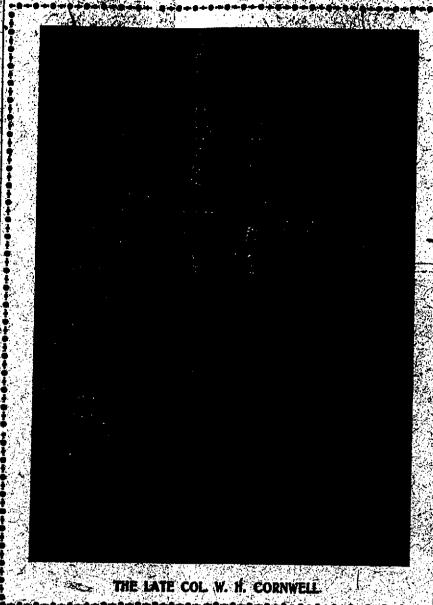
Cholers cases, 40; deaths, 21. Remarks: 23 cholers, 22 suspected. Shanghal, two weeks to October 17,-Cholera cases, 3; deaths, 3.

### NEW DISPENSARY.

Dr. Mays asked for information regarding the projected new dispensary. Dr. Cooper answered that they were in a period of transition, not knowing where they were "at." Plans and bids were in hand and he did not think there would be any difficulty after a ship for Kalaksua which endured unnew head was appointed to the Public til the latter's death, and many stories Works department. A morgue as well as a dispensary was planned, and he that the two gave each other, the King considered a morgue the more pressing entertaining Cornwell in Honolulu and necessity of the two.

CHILDREN LIKE TO TAKE IT .- was appointed a member of the King's The finest quality of granulated loaf staff and during the revolution of the sugar is used in the manufacture of following year he entered politics and Chamberlain's Cough Remedy, and the remained a staunch supporter of Karoots used in its preparation give it a lakaus and later of Lillunkslani. In flavor similar to maple syrup, making 1890 he was elected a member of the it duite pleasant to take. Children like House of Nobles for a four-year term to take it and it has no injurious after and in the years that followed took an effects. It salways cures. For sale by active part in the events which led up parted for a cy vesteriay of moon all dealers and druggists. Bermon, to the deposing of the Queen and the after exposing of the dy Smith & Co., Ltd., Agents for Hawaii formation of the Provinceral Govern- securing a com-

## COL. WM. H. CORNWELL DIES AT WAIKAPU RANCH



6:20 o'clock yesterday morning at his the death of Mr. Cornwell to his relatives in this city. The telegram gave heart disease as the cause of death. although friends in Honolulu always believed Col. Cornwell to be a sufferer from acute dysperola. Death came very suddenly, Mr. Cornwell being ill little more than an hour. His wife and son were at his death bed.

MR. CORNWELL'S LIFE. William H. Cornwell was born in

Brooklyn, New York, sixty-one years ago. He came to Honolulu when a boy of fifteen years of age, having received his early education in New York.

The deceased was the son of the late Henry Cornwell The elder Cornwell wait, came to Hawaii with his two with in In purchased by Col. Macfarlane from W. time of his death. L. Greene and Frank Spencer who

bought it from Louzada. After this sale the elder Cornwell, in partnership with Louzada, started the Walkapu sugar plantation on Maui, which probvery successful much of their success who for many years was employed as manager of the property. This plantation was followed very shortly by the Haiku, Makee, and Campbell plantations, native labor at that time being obtainable at six dollars per month. while sugar sold in San Francisco at

from ten to twelve cents per pound. In 1876 Col. Cornwell, with Col. G. W. Macfarlane, purchased the plantation, the elder Cornwell at that time retiring from business. With the plantation Cdrawell and Macfarlane also acquired an immense tract of 12,000 acres known as the Great Walkapu Commons, which Claus Spreckels afterwards purchased from the partners. and with the Walluku Commons started the big Spreckels plantation. To Reports were read from the food develop the property Spreckels had to acquire large water rights from King Kalakana and in doing so he started his cabinet, ending in Kalakaua dis-CHILLINGWORTH grant, a prerogative the King then had.

Col. Cornwell was a close adherent of the Spreckels, and was well-liked by Claus Spreckels, who always entertain-Plague cases, 3; deaths, 4; doubtful ed Cornwell upon his visits to San plague cases, 3; deaths, 1. Francisco. John D. Spreckels and Samuel Parker were always said to be Cornwell's most intimate friends.

Later Cornwell sold his interest in the Walkapu plantation to the Hawaiian Commercial and Sugar Co., while Macfarlane retained his share, thus causing the famous million dollar law suit. After the sale of his share in the plantation, Cornwell leased a large tract of land at Kula, Maul, from King Kalakana and began the raising of stock on an extensivé scale, a business he managed most successfully up to the time of his death.

HIS FRIENDEHIP FOR KALAKAUA Col. Cornwell early formed a friend-

are told of the regal entertainments Cornwell giving grand affairs for the King at Welkapu. In 1886 Cornwell

Death came suddenly and thexpect- ment. On Nov. 1, 1892, the Queen namedly to Col. William H. Cornwell at ed a new cabinet and sent in Cornwell's name as Minister of Finance. This Cabinet lasted but long enough home at Walkapu, Maul. Before even to be voted out of existence by the his illness was known in Honolulu a Legislature on that same day on wireless telegram arrived announcing January 13, 1903, he became a member of the Parker Cabinet, the one which later surrendered to the new provisional government on the seventeenth of January, four days after it had been formed.

### CORNWELL A DEMOCRAT.

Although a staunch supporter of the Queen, Cornwell accepted the conditions which came with the annexation of the islands to the United States. He then became a Democrat and attended the National Demogratic Convention of 1900 as a delegate from Hawall. Later he became national committeeman for Hawall, and during the last legislative campaign at the request of Col. Blackburn of Kentucky. he made an effort to unite the Demoeratis and Home Rule parties in Ha-

In 1870 Col. Cornwell was married to the latter fiftles. His brother in law. Miss Blanche Mariariane. Three chil-James Louzada, was already here and dren survive of that union, Mrs. J. S. it was at his request that the Gorn-Walker, and Mrs. A. A. Braymer of wells came to the Islands. Louisads Honolulu and W. H. Cornwell, Jr., of owned the large ranch interests in Maul. His wife died about fifteen years sue a license to such a place. The ar-Walmes, Hawali, better known as the ago and last December Mr. Cornwell Puuloa Sheep Ranch, adjoining the was married to Mrs. Josephine Colvin Parker ranch. This ranch was later in Honolulus She was with him at the

Mr. Cornwell was a great lover horse flesh. For a number of years he was president of the Hawalian Jockey Club and one of its charter members. He imported and bred many harness and running horses, among them being "May D.," "Hancock," "Nisa," "Gar-field," "W. W. Wood," "Lord Brock," "Venus," "Gartalene," the flying "Abulmanu," and many others. His racing colors were well known as the silver gray and cardinal maltese cross. At his Sacramento River ranch in Call- of A. G. Correa vs. A. A. de Mattos, fornia he kept a good stable.

### THE FUNERAL

The funeral arrangements have not been definitely made. The body will be brought to Honolulu in the Mauna Los Friday. The funeral will probably be under the auspices of the Hawaiian Lodge No. 21, F. & A. M., of which Mr. Cornwell was a member. The services may be held Saturday or Sunday:

The deceased counted hundreds in Hawaii as personal friends. Of a genial, pleasant, disposition he made friends easily and kept them always. He will be greatly missed both by Hawalians as well as the American residents of the islands.

# -BARRED OUT

Deputy Sheriff Chillingworth | finds himself barred out of his own office at the police station. The place was invaded yesterday by carpenters and a handsome railing and counter has been tived for the terms installed which cuts the office in half. Clerk Harry Mossman retains his old section of the office at the Ewa and, i discontinued. while, Deputy Sheriff Chillingworth's deak reposes in the section nearest the door. However, as the change was arrangement is satisfactory-all ground.

Heretofore there was little or no privacy in the Deputy Sheriff's office. His own deak, the clerk's deak and the cabinet containing the police archives were exposed to the inspection of anybody who entered the office. Court other documents were practically at the mercy of everybody's ayes,

In future no one but the elect may go behind the rail. A sign labelled "Enter at Your Perils with crossed police clubs beneath will be posted up over the counter gate.

The British suck Queen Margaret de-

STARVE THEM OUT:

Why not starve the germs to death? Scott's Emulsion will do it.

The germs of consumption are an invading army numbering millions upon millions: they must all be fed or they will soon die of starvation. A lung a little below "par" in witality is just to their liking.

Why not put new life into it? Scott's Emulsion feeds the lungs. It fills the blood with nourishing food for all the weak parts. Good food means life. Life means resistive force.

Germs cannot live on healthy tissue. Scott's Emulsion and good fresh air drive out the germs of consumption.

We'll send you a sample free upon reques SCOTT & HOWNE, 400 Pearl Street, New York.

# HUSECASE

### Attack on License System is Made.

C. C. Bitting made an attack on the lodging house license regulation in Judge Gear's court yesterday. It was in argument on his motion to quash the indictment of Frank Lucewiko for misdemeanor in conducting a lodging house without a license. Counsel for the defendant contended that it was unconstitutional to restrict a legitimate business, not in itself one over which police control is recognized as necessary such as saloons or gambling places, by license regulations. He spoke about "fifty cents a day" inspectors of the Board of Health as declining, for mere spite, to grant the certificate for defendant's lodging house which is required to be furnished before the Treasurer of the Territory will issument continues this morning. E. C. Peters, Deputy Attorney General, rep. 1200. resents the Territory.

IN THREE COURTS.

The trial of Siu Sau for assault and battery, before Judge Gear, resulted in a mistrial being entered on account of hopeless disagreement of the jury.

The trial of E. M. Jones for murder was set for Monday next, the court denying the motion to have the trial begin yesterday.

Judge Robinson entered judgment by default against defendant in the suit appeal of defendant from Honolulu District Court's judgment for \$181.32 and costs in favor of plaintiff. J. M. Vives appeared for plaintiff.

Manuel D. Silveira vs. L. Ahlo is still on trial before Judge De Bolt, and Kapiolani Estate vs. Paria before Judge Robinson.

### DISPOSAL OF SUITS.

C. B. Menesi vs. Jack Kalaiwahea defendant's appeal from District Court judgment of \$61.25 or plaintiff, was continued till next term by Judge De Bolt. H. Hogan appeared for defend-

E. E. Thompson vs. Ah Ping & Co. was continued for the term owing to the absence of parties. It is an appeal from judgment of \$188.09 for plaintiff by District Magistrate Dickey.

Ishinoshui Tukushima vs. Morihiro was continued for the term, being an action for \$2000 damages for malicious prosecution E. M. Watson appeared for defendant.

C. Shlozawa ya Kamalo Sugar Co., assumpsit for \$580, and Kapiolani Estate, Ltd., vz. Manuel Gomes, a covemant suit for \$1000 damages, were con-

Leong Yick Co. vs. New Zealand Insurance Co., and Gow Chong and Ida E. Lamb vs. Royal Insurance Co., were

### ESTATES OF MINORS.

Lucy H. McWayne, guardian of her four minor children, has filed an inmade according to the direction of ventory showing the trust to consist of Bigh Sheriff Brown and himself, the \$1500 divided between them equally, being a legacy under the will of the late S. C. Allen. Annie R. Jaeger, guardian of her minor son, has filed a similar inventory abowing a legacy of \$875 under the will of the same tertator.

Hafatoro Miyamoto, guardian of Hai tuhiro Miramoto, a minor, has filed an papers, secret flies, memorandums and inventory showing the sum of \$180, a other documents were practically at legacy received under the will of George E. Boardman, Icas \$18 inheritance tax.

> want to use him to cripple the Carter regime a same was a gara to the administration. They care nothing for lain, it as his to the series of good to him conopt as he may pull their chest. In this, a contact and a new men he f Title of the fire By and by when

The six are bur ed be will a

# HITS BACK

### Alleges Extreme Cruelty and Failure to Provide.

Estrella L. Turk has filed an answer and cross libel to the divorce suit of Frank J. Turk. She corrects his allegation of the date of their marriage from the 14th of October, 1896, to the 12th of that month.

Admitting that she has had no marital relations with the libeliant since some time prior to June 1, 1903, she gives a reason therefor in cruel and brutal treatment suffered at his hands She denies unlawful relations with the person named in the libel as coremondent.

In her cross libel, wherein she prays for divorce against him, Mrs. Turk alleges that since their marriage Frank I. Turk, her husband, has neglected and refused to provide suitable maintenance for his wife, although of sufficient ability so to provide, and still neglects and refuses to perform that duty. Then she says:

That on various times and occadons, and particularly at the time when, as hereinbefore stated, . she was compelled to deny marital relaions to her said husband, the libeliant serein, he was guilty of extreme cruelty to her, the libeliee; that he beat and pounded her with his fists, even going so far as to choke her into insensibility; that he has often threatened her with a revolver, threatened to take her life, and that his whole conduct, since almost immediately after their marriage, has been that of extreme cruelty to-

## SANITATION IN OCTOBER

### Dr. Pratt Tells of Work Done by Inspectors and Himself.

Dr. J. S. B. Pratt, chief health officer, made the following report to the president of the Board of Health, on city sanitation for October:

Acting under your instructions I took charge of the sanitary inspectors after the departure of City Sanitary Officer Tracy. In this work I have been assisted by L. Po.S. seems) danking report given, his work and mine are given

tokether. Four cessocols were located A Chinaman was prosecuted in the District Court for peddling stale fish. He was fined 43.00 and costs.

Seven restaurant licenses were issued, seven lodging house licenses and two

hotel licenses. The number of persons that can be lawfully lodged in the buildings are 689. There were forty-eight burials and five disinterments. In making the burials, thirteen old graves were open-

ed. The average depth-of the graves, from which bodies were disinterred, was five feet.

The number of days special work of the inspectors was 1214. The usual morning meeting for reports from the inspectors and the giving of instructions to them has been

carried on the same as when the City Sanitary Officer was here. A few changes have been made from the manner in which City Sanitary Officer Tracy carried on the work, but all these changes have been made with a view to increase the efficiency of the

inspectors, and also to have a better

control over the work which they are

### doing. JAPAN ON THE HONOLULU YACHT

By the way, I see there is a challenge from Honolulu to the yachtemen of Japan, but I do not see how anything can come of it Let Honelulu come here, if it wants:

this is the senior yacht club, by many It would be a foolish game for a tour-

ist resort like this to go to a lot of trouble for the object of "boosting" a. rivel fourist place. It is a simple-minded game, too, to

take up a challenge on the condition that the one competitor must tell the other the design of his boat, and show his hand enthely.

It is also contrary to the interestsof genuine yachting to go in so much for extreme types of racing machines. I do not think it likely that the Honofulu offer will find any takers here.-Japan Garette.

The death of Coulet With William -Well was an unex a led about the all He having no kn wedge of the loss Repolkal is surrounded by men who Colored and we have

CHARGO THE TOTAL DER NATIONAL AND AUT

from my with the news

NEWSPAPERHRCHIVE®

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"In view of these, and other consid-

Very respectfully yours, "A. N. KEPOIKAI,

CARTER'S FINAL NOTE.

ter in response to my note of this morning, and I am exceedingly sorry that you have failed to prove a man of your word. I had every reason to expect from so prominent an Hawaiian, and one who had such a high stand among your race that I could rely upon the statement, repeated twice to draw and leave me free to select such with me and in whom I could repose every confidence. Such confidence is now out of the auestion.

## PART OF COUNTY ACT IS MADE **NULL AND VOID**

### The Supreme Court Expunges the Proposed Board of Public Institutions.

The Board of Public Institutions created by the County Act is no more. Yesterday afternoon the Supreme Court rendered a unanimous decision making the County Act, so far as it relates to the Board of Public Institutions, null and void.

Superintendent Henry E. Cooper, it happens, has officially lived just long enough to enjoy one evening's triumph over the Legislature's attempt to deprive the Superintendent of Public Works of the greater part of the functions that the Organic Act prescribed he should exercise. The case now decided arose from the resistance of Mr. Cooper to the authority of the Board of Public Institutions.

Judge Gear decided that the Board of Public Institutions was an illegal body in that its members were not appointed as such by the Governor, the Organic Act placing the appointment of all boards of a public character among the duties the Governor should periorm. He touched upon other points raised, but found it unnecessary to decide the one attacking the validity of the entire statute-namely, that the bill had not passed the three readings in each house of the Legislature which the Organic Act requires.

The Supreme Court finds the County Act to be illegal, so far as it relates in title and text to the Board of Public Institutions, because, contrary to the Organic Act, it embraces more than one subject. It not only provides for "the organization and govern- occasion consequences occasion and government of counties and districts," but for "the management and

ment of counties and districts," but for "the management and control of public works and public institutions therein"—that is, in the counties and districts.

While mentioning the several lines of attack on the Board of Public Institutions which Mr. Gooper's counsel took in resisting the writ of mandamus, the Supreme Court contents itself with deciding the main issue raised in the petition for the writ. As the ciding the main issue raised in the petition for the writ. As the Circuit Judge had done, it leaves the validity of the County Act as Circuit Judge had done, it leaves the validity of the County Act as Mrs. Bingham had been a sufferer for lives was to the little band of mission-a whole an open question. There is nobody or nothing in the world ten years from paralysis agitans. Eva whole an open question. I here is nobody or nothing in the world ten years from paralysis agricus. Every covered a big, burly savage crawling more steadfast than courts of justice in observing the principle of ery care has been taken of her during through's clapboard which served as a not crossing a bridge before it is reached.

This was a test case, so far as it went, for which the outcome failing in health until last May she fell intent on stealing Mr. Bingham scare has been eagerly awaited by the people of the Territory, who have a victim to the dengue fever. Since him by letting down the clapboard with has been eagerly awaited by the people of the Territory, who have a victim to the dengue lever. Since a bang by means of a string with just participated in the first elections under the County Act. There-then she has been confined to her bed. which it was generally opened and shut. fore the decision of the Supreme Court in full is here presented to the readers of the Gazette:

### COUNTY ACT CASE DECISION IN FULL

In the Supreme Court of the Territory of Hawaii. October term, 1993. In the matter of the application of Sanford B. Dole, Governor, George R. Carter, Secretary, A. N. Kepoikal, Treasurer, J. H. Fisher, Auditor, A. T. Athinson, Superintendent of Public Instruction, and Lorrin Andrews, Attorney General, as the Board of Public. Institutions of the Territory, for a Writ of Mandarson against Henry E. Cooper, as Emperintendent of Fublic Works of the Territory.

Appeal from Circuit Judge, First Circuit Submitted November 6, 1903. Decided November 17, 1901.

PERRY, IJ.

An act entitled "An Act providing for the organization and government of counties and districts, and the man-agement and control of public works and institutions therein," is invalid as to so much thereof as purports to create a Territorial Board of Public Institutions and to transfer to it matters theretofore belonging to the Territorial Superintendent of Public Works, and with which the countles were to have nothing to do,—in view of Sec. 45 of the Organic Act, which provides A"that each law shall embrace but one subject, which shall be expressed to its title."

OPINION OF THE COURT BY FREAR, C. J.

This is an appeal from an order denying a writ of mandamus to compel the respondent to deliver to the petitioners the control of all matters relative to harbors, wharves; pilots and towage, and of all property used in connection therewith, and the control and management of the executive and judiciary buildings at Hopolulu, as required in terms by Sections 484 and 485 of Act 31 of the Laws of 1903, commonly known as the County Act Chapter 54 (Becs. 389-391) of that Act-

purports to create a Board of Public Institutions consisting of the Governor, Secretary, Treasurer, Auditor, Supt. of Public Instruction and the Attorney General of the Territory and to prescribe its powers and duties. It purports to transfer to it many powers and duties which have bitherto belonged to the Superintendent of Public Works. The defense is that this chapter is null and void because it conflicts with the Organic Act and more particularly with (1) Sec. 80 which provides that the Governor shall appoint with the advice and consent of the Senate, certain officers and boards and "any other boards of a public character that may be created by la v," in that it creates a board of a public character not appointed to the Governor at all as to two distancembers (the Governor and Secretary, who we do obited by the Pressenti com seconde of him as mem less of the beard as the english the manufact a fourt all es at the Coverno at American Are a counted by him to the other species comocal (2) Bec. 48, 81 h protider ten inch - t one embient which shall be ex. resed in its this?; (3) See, 75 which provides that there shall be a Superintendent of Public Works with powers and duties over certain specified matters, though subject to modification by the Legislature, in that it takes from such Superintendent a substantial part of such

powers and duties; and (4) Sec. 46, which provides, among other things, that, except under certain circumstances, a bili, in order to become a law, shall pass three readings in each house and that the final passage shall be by ayes and noes entered on the journal, in that, as contended, the House journal shows merely that the report of the conference committee was adopted by the House in the manner mentioned and does not show that the

bill passed third reading in that body. In sustaining the order appealed from we base our opinion upon the weind of these grounds, and express no opin-

case. It is sufficient if the various moon voyage around Cape Horn to parts of an act have a natural connection, are fairly well embraced in one subject though somewhat general, and expressed in the title. See In remonths were at Ponape, where an as-warker, 9 Haw. 171; Carter County v. Walker, 9 Haw. 171; Carter County v. Sinton, 120 U. S. 517. But is this the case with the Act in

question? Its title is "An Act Provid.

ing for the Organization and Government of Counties and Districts, and the Management and Control of Public Works and Public Institutions there-We presume this title is unobjectionable from the mere fact that it is in two clauses, each of which in form sets forth a separate subject. The mere form is of little consequence. Much room must be left for the exerc'se of legislative discretion in the wording of the title. It is unobjectionable that to the first clause of the title in question there is added the second in so far as county works and institutions are provided for in the Act, and doubtless these might be provided for incidentally under the first clause if the second were omitted. How far provisions relating to Territorial as distinguished from County matters could properly be included in the Act nel-tentuty or bear on they could not very well be separated or as declaratory provisions in order to make clear the precise line of separation, we need not say. In this instance the Legislature did not attempt to do anything of that kind. It attempted to create a distinctively Terfitorial board of public institutions and to transfer to it from distinctively Territorial officers matters in respect of which the countles were clearly to have nothing to do and in respect of some of which they lo the very nature of the case would have nothing to do. It acted as if the title were "An Act providing (1) for the organization and government of countles and districts and (2) the management and control of Territorial works and institutions." This was clearly inconsistent with the provision of the Organic Act above quoted. Accordingly we must hold that such portions of the County Act as were designed to create a Territorial board of public institutions and to of Public Works is invalid, namely, Chapter 64 of Act 31 of the Laws of

The order or decree appealed from is Attorney General L. Andrews for

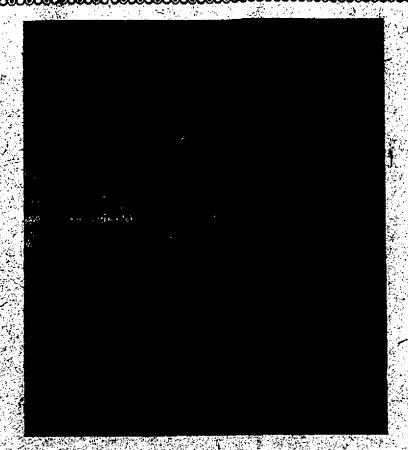
1902, and Sections 484 and 485 and any

other portions of said Act necessarily

dependent thereon.

Kinney, McClanahan & Cooper and B. H. Derby for respondent.

### DEATH OF MRS. WIRAM BINGHAM AFTER AN ILLNESS OF TEN YEARS



THE LATE MES. BINGHAM AND HER HUSBAND, THE REV. MIRAA BINGHAA

After an illness that had lasted for their stay the lives of the missionaries

that time but she had been gradually window. As the fellow was evidently

that dot the seas of Micronesia she is known to the natives as a friend and years old. She was born at Northampton, Mass., on October 19, 1834, and received her education there. It was in Massachusetts that the met the then young couple should take up their labors at Apiang. They commenced their work at the latter point on Nov. 18, 1857, and the hardships they had to endure there for many years, living on the food or the South Seas and in quar-ters very unlike a comfortable. New

himself and wife in Micronesia from the time that they settled at Apiang. One year's work, contending with climate, bad food and other evils, was

in command of her on another voyage to Micronesia until his health broke down again and he came to Honolulu. Here he remained for some time, returning to the Gilberts in 1868. The Gilbert Islands when Mr. Bingham

first went there was a very undesirable The inhabitants were warlike place and jealousies among the chiefs excit-ed constant wars. Some chiefs under the influence of the missionaries began to enact laws against theft, murder and other crimes and were trying to establish somewhat permanent law and order. This state of affairs displeased rival chiefs and a great war threatened.

The king of Apiang, upon which island the missionary station was, joined forces with the king of another island. Bingham home at three o'clock this aftand in withdrawing his men left the ernoon and the interment will be in the missionaries to the mercies of the at- old family lot of the Binghams in Katacking forces which swarmed over the island when the king and his men Kincaid will officiate, had left. These people were utter sav- H. H. Williams has charge of the ages and during the several months of funeral arrangements.

how fearful the uncertainty of their

Mrs. Bingham was well known as The noise so scared the savage that he woman of high character and lofty took to his heels. His comrades, who deals. Throughout the small islands stood near by, ridiculed him on seeing this, and this made the fellow very ang ry, as the natives are very sensitive to ridicule. He consequently went up to helper. Had she lived until next Oc- Mr. Bingham and pushed him with his tober she would have been seventy ground for some time, the savage years old. She was born at Northamp standing next to him and shoving him every now and then. Mrs. Bingham finally appeared and called the husband in to breakfast and Mr. Bingham young Hiram Bingham, son of one of This did not end the incident. After the earliest Hawaiian missionaries, who breakfast, when Mr. Bingham went inwas in the East receiving an education to the meeting bouse where there was preparatory to leading a life of reli- a large number of the savages assemgious activity in the South Pacific. Her bled, the would-be thief rose from among them and followed behind him of these grounds, and express no comtion upon the others.

It is true that the provision of the
Urganic act. That the provision of the
former bar, one subject, which shall be
expressed in its title, should be liberally construed, and that an act of
the Legislature should not be held
void on the ground that it conflicts
with this provision, except in a clear

that na ie, starting on a long honey
eyes and prayed. The mative did not
eyes and prayed. The native did not eyes and nrayed. The native did not fire however, but kept on sitting there, lifting up the pistols and aiming every now and then. The rest of the native filed out of the room gradually, leaving Mr. Bingham, the savage and the native assistant alone. For two hours they remained thus, Mr. Bingham expecting every moment to be his last, but finally the savage got tired and left the room without doing any harm.

Many other incidents are told of their life there. One of their children died and was buried at Amang where they England home, undermined the health had built a cottage. Called away some-of Mrs. Bingham and also of the Revelopment of the mercies of ham left their home to the mercies of Nearly half a century ago missionary the natives. On their return they found life in Micronesia was a very strenuous the house torn down and turned into undertaking. Sometime ago Mr. Bing proas or cances and the bones of their ham gave a brief account of some of little one scattered about the vard. Anthe happenings incident to labora of other son, Hlram Bingham Jr., survived the vicissitudes of early missionary life and is now an instructor of his-

Mrs. Bingham left work in the Gilenough to break down Mr. Bingham's bert Islands that will endure for all health, and he returned to Boston, where he supperintended the building of the second Morning Star."

When that vessel was built, he went guage. She gave the Gilbertese a time. She became thoroughly acquaintguage. She gave the Gilbertese a Reading Book", "Old Testament Bible Stories". "Primary Geography", "Primary Arithmetic", and assisted Mr. Bingham in translating the whole of the

tory at Harvard.

lew Testament into the same language. Mrs. Bingham has been a well known member of Central Union church and also of the Women's Board of Missions of Central Union church and in recent years very many sympathetic messaires have been sent to her by the Board regretting that her health did not per-

mit her to extend the meetings. In addition to her husband, her sister-in-law, Mrs. Lydia B. Coan, was present at the time she passed away last

The funeral will be held from the waiahao Cemetery. The Rev. W. M.

## transfer to it duties and powers there-tofore belonging to the Superintendent of Public Works is invalid named EN ROUTE TO HONOLULU

SAN FRANCISCO, Nov. 18 General MacArthur, Col. Prow est, Mrs. S. B. Terry and Collector Stackable have sailed for Hono-July on the Korea.

# AND DON THE ERMINE

Retiring Governor Dole to Take the Oath as Judge This Morning---Acting Governor Carter Hopes for Smooth Transition.

Sanford Ballard Dole, who has been the head of the government of Hawaii under three distinct forms since January 17, 1893. will, at 10 o'clock this morning, divest himself of the toga of statecraft and assume, for a second time in his career, the judicial ermine.

"I shall be sworn in, in the Federal courtroom, by Chief Justice Frear at ten o'clock in the morning," Mr. Dole replied to a question as to the program for his judicial installation, "and then open court and proceed to business.

"Yes, I shall probably make a few remarks to the bar-nothing formal. Then I shall appoint a committee to draft memorial resolutions in respect to the late Judge Estee."

Mr. Dole was asked if there was anything put forward about the Federal statute directing, on its face that in case of a vacancy in a district judgeship all proceedings then pending shall be continued to the next stated term of the court affected.

He answered that he had looked the matter up. "Everything goes over to the next ferm," he added, "but that does not prevent parties from presenting their cases. It will put it in the hands of parties themselves whether they will go to trial forthwith or not." District Attorney Breckons, to whom the same inquiry was pre-viously made, replied in his dry manner:

"There are some people who think they can run the United States Court without regard to the Judge and the District Attorney." THE OATH.

Following is the form of oath that Judge Dole will take:

"I, Sanford B. Dole, do solemnly a wear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as United States Judge in and for the District of Hawaii. according to the best of my abilities and understanding, agreeably to the Constitution and Laws of the United States; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

JUDGE DOLE'S COMMISSION.

"President of the United States of America.

The commission of Judge Dole turned up in a pasteboard tube amongst his mail yesterday morning. It is in the form that follows: "THEODORE ROOSEVELT,

To all who shall see these Presents, Greeting: Know ye that reposing special trust and confidence in the Wisdom. Uprightness and Learning of Sanford B. Dole, of Hawaii, I do appoint him to be United States District Judge of the Territory of Hawaii and do authorize and empower him to execute and fulfill the duties of that office according to the Constitution and Laws of the said United States, and to have and to hold the said office, with all the powers, privileges and emoluments to the same of right appertaining unto him, the said Sanford B. Dole, until the end of the next session of the genate of the United States and no longer, subject to the provisions of Law.

"In witness whereof I have caused these letters to be made Patent and the seal of the Department of Justice to be hereunto affixed.

"Given under my hand at the City of Washington, the Sist day of October, in the year of our Lord one thousand nine hundred and three, and of

the Independence of the United States of America the 128th "THEODORE ROOSEVELT

resident,
"P. C. KNOX,
"Attorney General," By the President,

### NO FAREWELL ADDRESS.

Governor Dole stated, in answer to an inquiry, that he would deliver no farewell address as Governor, either upon assuming the Judgeship or upon Governor Carter's inauguration.

a trink it is not necess appointing the tingling ear.

OSTENTATION ESCHEWED. Secretary Carter, who will be Acting Governor ex officio at the

moment Governor Dole's resignation takes effect today, said, with reference to that stepping stone stage, when asked yesterday about probable changes this morning. Things will go along just the same. I will be in practically

the same position as now. As Acting Governor I would only do what was absolutely necessary."

An allusion to what he had said the previous day about resignations elicited from Mr. Carter a remark to the effect that he had reason to expect that Treasurer Kepoikai would present his resignation this morning.

### HAWAII AS SEEN FROM GREATER N. Y.

Mauna Loa, emulating Mont Pelee and Vesuvius, is waving aloft its flags of flame as if to remind us that we have in Hawaii an ideal allthe-year-round American health and pleasure resort. The climate is at all times delightful; hurricanes are as infrequent as snow squalls; the scenery is alternately picturesque and sublime; the flowers and fruits are perennial: the mountains offer game birds and beasts to the sportsmen, and all the discomforts of ordinary travel are prevented by the adoption of the most modern conveniences. This paradise of the Pacific is our own, and we should visit it, enjoy it and develop it. Many tourists who go to look at Hawaii remain for years, but there is room for half a million homes, and the Government offers easy terms. The natives are not like our negroes; their ancestors were hardy enough to row over from Polynesia and intelligent enough to build their ocean canoes and steer!by the stars. Now five lines of palatial steamers keep Hawaii in touch with the rest of the world. The Oceanic Company is an American line, and any of its vessels can be transformed into an armed cruiser in thirty-six hours, so that affoat or ashore the visitor to happy Hawaii may be under the Flag.-New York Town Talk.

### THE SUN'S SEASONS

LAPORTE, Ind., Nov. 9.—In a statement made today Alexander Young, a local astronomer, who has in the last year made several important discoveries concerning the condition and functions of the sun and has asserted the existence of life on that planet, announced his conclusions concerning the solar seasons.

Young has found that the sun is blessed with a clime of perennial summer, divided between seven months of vernal, or springlike, summer and five of deciduous, or autumnal, summer, marked by changes in the vast masses of forest foliage observed by him through the intrumentality of the solascope which he has invented. At this time red and reddish brown hues prevail, to be replaced in January by the living green of summer.

H. T. Second-class Matter. SEMI-WEEKLY. esuld tulsdays and fridays.

WALTER G. SMITH, Editor. SUBSCRIPTION RATES

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A. W. PEARSON,

FRIDAY : NOVEMBER 20

Manager.

### SANFORD B. DOLE

The retirement from executive office of Governor Dole after a term of nearly eleven years is an event which serves to especially recall the exigent duties which he has rendered at the head of the government of Hawaii. When, in 1885, the native monarchy was thrust out of the way of progress, it was ours to choose a man of conservative temper and staunch character and one who had the confidence of the whole people and could gain that of foreign governments, to take the lead in the annexation movement which followed the overthrow. The American party turned unanimously to Sanford B. Dole. He was a Justice of the Suprome Court and had always enlisted with reform political movements in the kingdom. Whatever the issue he had been found on the right side. Asked to become chief of a Provisional Government he took the matter into deliberation and then accepted the office of his American policies. For weeks there From the quiet and peace of judicial chambers he was plunged at once into ways as tardy in action as decisive

the strenuous life. Surrounded by armed men he carried on the functions partly as a military chief, and he made no mistakes in working out a middle policy of sound administration. His earliest work was to seek annexation Presidency of Grover Cleveland not only balked his plans but put the government over which he presided into an attitude of defence against the misd powers of the government of the United States. To those of us who re-call the inflexible stand of President Dole when a demand for the restoration of the monarchy came from Cleve land's envoy and the keen ability with which he addressed himself to the diplomatic interchange which followed. admiration for him as a statesman mingles, with thankfulness that the American party here made so wise a choice of its political leader. Having won his battle for independ-

administration which were never healed. President Dole addressed himself to questions of administrative reform. For almost the first time since the day of complete missionary ascendency in which could not be avoided, there was always a surplus in the treasury.

most unimpeachable cabinet, in its complete personnel, which the islands with a fidelity to honor, with a stand-bad ever seen, with the help of these and of public service, with a certainty advisers, he managed difficult questions of judgment, which makes his appear with consummate tact-and few new sande in the Federal Judiciary as honsovernments have ever had more per orable to the bench as it is gratifying plexities to meet. There were enemies to him. on every side. The American government was captions and unfriendly. Japan began pressing for the suffrage might be attacked and everthrown in

Congress. Meanwhile the Provisional Government was changed to a Republic, Presaccept a treaty, though more than one free hand. Every member of former ness, the Sugar Trust, which also con- assumes a role which self-respect can-

ington was to keep things in statu quo. Then came the Wilcox revolt of 1895, an uprising which proved the strength ministration. of the Dole government and the military, weakness of its adversaries. Though vastly in a minority as to numbors throughout the group, the citisens of the Republic formed about Prasident masters of the crisis. Never for a moment did the President lose his poise. He knew what to do and did it in the themselves liable for more indemnity. he let no impulse of revenge dusk the clear mirror of his humanity. Like Lincoln he tempered justice with mercy; and if he earned no gratitude nexation is written on the wall it for it from those whose forfeited necks might as well be anticipated by some he spared, he strengthened his cause at home and abroad, and in the contrast which his leniency afforded to the berberic violence of the Queen, who had demanded heads as the prizes of her return to power, he marked the withi difference of the old order and the new in these emancipated islands." The world did not miss the contrasts nor Zall to read the lesson aright,

The years that followed were hardly less strenuous than those which had complaisant over the loss of Cauca and gone before. If the era of revolution had passed, there was still the labor there, the diplomatic pressure of the Japanese, the flood of "free" Asiatic immigration, the claims of the aliens imprisoned after the Wilcox emeute the cholera and a host of minor ills. Yet the great man at the head of affairs pever jost his faith or his temper or his capacity to deal with emerzencies. Opposing him and intriguing against him was the last United States Minister, ambitious himself to take the lead in Hawaii, but never for a moment did the President sweeve from the

WALLAN GAZEFTE FRIDAY MOYEMBER 40 1963 FRENT WESTER sonal grievance. Whatever happened, the Hawalian executive, imperturbable and serene, did what was best for the country, never considering himself. looking only to the greatest good for the land in which he was born and where his life-work lay.

Wan brought the hour of annexation and here again the sound judgment of the President asserted itself. Some of Mr. Dole's pest driends and advisers, men devoted to the cause he had at heart, urged him to declare the republic neutral as between the United States and Spain. Buch a blunder, as all see If now, would have been worse than a crime, but Sanford B. Doie, with the insight of a statesman, saw its full meaning at a glance and he wrote President McKinley putting Hawaii at the service of the United States. It was not long before the Stars and Stripes rose upon the towers of the capitol. For five years the President had held vigil for that day and the end rowned his patriotic work. Still he could take no rest. Faction

raised its voice to prevent his becoming Governor; but Mr. Dole had deserved and won the confidence of those elements in any country which shape its affairs if they wish to do so and they saw that President McKinley was not deceived as to the personality of Mr. Dole or the needs and wishes of Hawall. The Governorship was offered to the man who had earned it. Mr. Dole was not ambitious for office; his health was broken; he wanted rest and freedom from responsibility, but the demands of the new Territory were importunate and he acceded to them. He entered office with the treasury surplus gone to pay for the battle with the bubonic plague and at a time when demands for public outlay were greatest. Through the labyrinth of debt and doubt he led the way to firm ground, only to find himself undermined at Washington by men who had been driven from plunder by the triumph of was danger of his removal; but when the business interests of Hawaii, alin results, asserted themselves, Goyernor Dole received a splendid vindicaof government partly as a civil and tion from President Roosevelt who gave out officially. The President, after most careful investigation and hearing as many men as possible and hearing from others has come to the conclusion to America but the coming into the that Governor Dole's administration is such as to warrant his continuation as Governor of Hawaii and entitles him to the respect and hearty support of the administration." It was the very irony of fate that some of those who were deepest in the plot to secure the Goyernors removal soon had their political power utterly broken by the exposure of their misconduct in office.

Today the long executive career of Sanford B. Dole ends with his exchange of the Governorship for the bench of the Federal Court. Looking backward over more than a decade one can see surely, when the emergency came, the Man was here to meet it. As President Mr. Dole did not suffer in conence, leaving scars upon the Cleveland trest with some executives that have towered in a wider field. He was accepted by thinking men in the United States-born under an allen flag thoughhe was as a great American. Let the factional storm rage never so wildly Hawaii, the land had an honest and against him, his mere appearance at capable government. Its credit steadily Washington was enough to wis him Washington was enough to win him rose; and despite military expenses, the respectful fellowship of the manters of American destiny, Presidents, welcomed him as a friend and an in-President Dole drew about him a tellectual and moral equal. As this cabinet of strong men—the ablest and ernor be has served in a more restricted sphere than he did as President, but

Judge Kepoikai does not dignify himself or his race by refusing Acting so as to gain control of domestic ad- Governor Carter the courtesy of his ministration and make Hawali a trade resignation. The Treasurer takes the dependency; at home the natives and a ground that there is no necessity for strong group of aliens were plotting him to be polite and that, having been against the State; and over it all was confirmed by the Hawalian Senate and the fear that the reciprocity treaty commissioned for four years, he is not called upon to leave before the term ends. Apparently Judge Kepolkai forgets that a Governor is supposed to agpoint all heads of departments and that ident Dole remaining at the head of it is the commonest civility under the the new State. Prosperity graw apace American system when one Executive but annexation seemed far off. At no retires for his appointees to go with time was the Federal Senate ready to him and to give the new Executive a was proffered. Against Hawaii's am- Governor Dole's official family has met bition stood, with sullen obstructive that obligation but Kepolkal. He alone spired against reciprocity. The best not approve and which will rise up Mr. Dole's envoys could do at Wash- against him in future should he sakpreferment at the hands of the party here or of a Republican national ad-

The Dominican rebels seem eager for a quarrel with the United States. First they repudiate American claims which Dule in solid phalanx and were always the regular government had agreed to pay; second they fire on an American merchant steamer and thus make right way; and when the rebels and Under the circumstances the United their accomplices, with the former States would be justified in making an Queen at their head, were imprisoned, offhand treaty with the President of San Domingo permitting it to interfere. disperse the rebels, preserve the peace and establish a protectorate. As anform of lawful occupancy now.

> Two departments or states of Colombia wish to join the republic of Panama. If they should be admitted, the fact would add to the difficulties of the Colombian President and to the Incentive for hostilities. While Marroquin might conclude to let the little isthmus go without a fight he could hardly be Antioguia, Again, if annexation is in the air, as seems probable, the United States might not care to go beyond the scientific frontier which the isthmus alone affords.

The Independent announces, whether officially or not it omits to say, that if the present grand jury does not indict some one for "election frauds," that body will be dismissed and a second jury, chosen that can be counted on. Does this portend another grand/jury asched by the Home Rule sympathiser straight line of duty to fight out a per- on the Circuit Bench?

### THE REPORTAL CASE.

The least claim of Judge Kepolkal upon the office he new nolds is consider ered good. The Advertiser, for one has not queremed it. If Judge Kepoikal chooses to remain as Treasurer he cannot be removed by the Governor and Senate mear they shall establish charges against his competency or probity or both or mass, in the meantime Congress alm mpower the Terrhorial Executive to temove heads of departments at will Be the question is a t of law but of

custom and civility. In a way the

great offices of the Territory resemble,

those held by the carriet ministers of the President. The are not independent bureaus but are branches of the central administration. The work of the departmental chiefs, collectively, makes up the record and policy of the Governor. The latter's annual report to the Secretary of the Interior must describe and explain what the Treasurer, the Auditor, the Superintendent of Schools, the Superintendent of Public Works, etc., have been doing in their official capacities. He alone speaks for them. If things have gone wrong with these officials the Governor is held to technical account as the appointing power. Being so responsible it is but fair that his right to appoint should not be limited by anything save the co-ordinate rights of the Senate. Nor is it, except when Governors change and some official who had re-ceived his commission frem one Excoutive insists upon staying in office under another. A case like that so rarely mappens heads of departments usually being gentlemen, accustomed to American official etiquette-that the law does not make provision for policy removals, President Roosevelt, for example, could not have removed a single member of President McKinley's hold-over cabinet. But he was dealing with American statesmen and gentlemen not with feed frough politicians and the absence of a law did not worry him. The resignation of each member of the Cabinet was presented to film at once. So it has always been at Washington save in the one case of Secretary of War Stanton, who, urged by the Senate and by the Republican party, held out against the notorious President Johnson, who had threatened a despotic use of the army against the legislative power. Secretary Stanton's act was petriotic in a broad sense and cannot be used as a precedent for the porcine greed of Kepolkai in trying to force himself into an administration where he is not needed or wanted and where his utter ignorance of all things financial, save the drawing of his pay, is likely to bring derision upon the new Governor's fiscal policy and public disgrace upon himself. When that disgrace comes he will not find a single sympathizer in the hui of disbarred attorneys, discredited ex-candidates, graduated em bezzlers and the like who are urging him to disturb and embarrace the administration of which he insists upon forming a part.

### CARTER AND BONDS.

Mr. Damen was none too generous in his praise of Acting Governor Carter's work in placing the Hawalian bonds. For the first time in the local history of such transactions, the reanit has been wholly satisfactory and the delays slight. Mr. Cartler under tock a deficate tusk and made no mistakes from the beginning. The bonds were not only placed speedily but a saving of \$75,000 was made by the reduction of interest and of \$20,000 by improving upon the original plan of sale. The result and the methods of attaining it mark Mr. Carter as & masin the processes of governmental administration here.

The late Mrs. Hiram Bingham was a type of the sincere and self-sacrificing missionary who brought a knowledge of the Bible to the natives of the tropical Pacific islands. Nothing could be more sincere than her religious faith. It took her far from home and kindred into the haunts of savage tribes where her life was always in peril and where her only reward was in the consciousness of duty done. Such missionaries are among the noblest and bravest of all the pioneers of civilization.

The Bulletin's desire for an investigation of "election frauds" which did not occur has been gratified .. The grand jury finds that nothing decurred. fourteen men, an act which relieved the accused election officers of able responsibility for the condition of the voting paper.

Nothing is seen of the Colombian army that was supposed to be marching on Panama. It may have heard the American salutes to the new flag and turned back. If so the Colombian army Suror?" should be complimented on its discreet behavior.

Now that part of the County Act has been decreed invalid perhaps good government would be served-especially. in the other counties of the group-by

The Independent should not try to tell what it doesn't know about American political methods. It hasn't the

The Promotion Committee, in taking up the task of getting American fromers into the country, is doing more to build Statehood than any other force. Hawali can never be a State with its present electorate. It must have an American population to win the conndence of the American Congress. Nothing contains a stronger assurance of that then the history of the abortive half-century attempt of Latinized New Mexico to make its way into the sisterhood.

### REPORMS OF COURT PROCEDURE.

Justice Brewer's Bidictment of the american jury system continues to attract the moughtful interest of public men., That entitient member of the U. Si Supreme Cours des mres that public opinion is tiking ourse ted against the existing jury eys en on three points; First, the provision that a jury must be composed of ; welve, j persons; second, the methods used for the purpose of securing a jury free from prejudice or pre-determined opinion; and third, the requirement that the dedsion be the unwalmous opinion of the weive jurors.

He declares that there is so magic in the number twelve for jurors, no mysterious reason why there should be that number instead of eight or sixteen. The idea of a jury trial is "to ascertain the average Judgment of the community on the merits of the controversy." It is not necessary, declares the justice, to have a fixed number of will not return until Friday or Sunjurors in getting at this average judgment. "It may well be," he says, "that where a man's life is at stake, or where the amount in controversy is large, twelve would not be regarded as excessive, but where lighter offenses are charged or the amount in control. versy is small, it would seem that the ends of justice would be subserved were there but six or eight jurors, and certainly time and money would be saved thereby."

But this objection is trivial when compared to the objection contained in the second point with respect to the manner in which jurors are selected. oder the practice in most courts the best material from which juries might be secured is barred from the selection. Bright men who bead and keep themselves informed are sure to have information of every crime of course quence, and information without some ort of an opinion is an unpatural condition. The struggle of lawyers is to get on the juries such men as are easily moved by eloquence, or who may be confused by contradictory evidence into has resulted in carrying the doctrine of "no opinion" to an unreasonable ex- Dr. H. C. Watt of Kaus; was natural No man should be held disqualified," declares Judge Brewer, "because he has read the newspaper resome of the witnesses talk about it mitted to practice in the United States and from reading or hearing has formed a passing opinion upon the case No one for a moment supposes that the judge is disqualified or that he will incorrectly declare the law, although he may have heard the whole story of tract. The amount claimed is \$1100. the transaction. No more should an intelligent, honest man be held disqualified from passing judgment upon the facts for the simple reason that he has read or heard the story." Judge Brewer would dignify the jury

many annoyances to which they are subjected. He would increase the pay of the juror. "He should not," con- king and are being taken to San Quitinues this eminent authority, "he com- tin to serve a term for burgiary." pelled to work more hours than the Judge. To shut him up and keep him confined day and night is a crime against society. He is treated too often as an object of suspicion as though he were probably dishonest, and must be specially shielded from numbers monauloa and Koolaupoko not having been received. In round numbers Honolulu has contributed up when the judge is not.? A bad man on the beach or in the jury hox will surely find ways to be tempted and MFPCHART CITTAIR! few things are more calculated to de-grade his office in the sight of the larger and to bring out all the evil that is in him, than the consciousness that he is an object of suspicion. I have been thirty-seven years on the bench, and take pleasure in recalling that, so far as it was possible. I always relieved the as I myself submitted to: that I endeavored to make him in the discharge of his duty free from annoyance and suspicion. And I have not the slightest reason to doubt that the course

system by freeing the jurors from the

ter administration of justice." Having brought a better class of men to the jury box through the methods ands, and here indicated, Justice Brewer would do away with the unanimity rule and have a verdict returned by two-thirds or three fourths of the jurors "Why." he demands, "should the unanimity rule be deemed essential? Neither in legislative halls, among judges, in arbitration proceedings, nor in scarcely any other body called to make a determination is it the rule. In my judg services rendered by the Honorable ment, the great objection to the jury Sanford Ballard Dole in the past as ment, the great objection to the fury system as it is administered today, and at the polls to warrant the indictment the one, which more than any other of anybody. This pours a bucket of threatens its overthrow, is this rule cold water on the Home Rule contest of unanimity. Were ft abolished less case, the evidence of ballots not only time would be wasted in impaneling a having been passed upon by a somper jury, and a better class of furors would tent tribunal but the ballots themselves certainly be selected. More than that having been unsealed and examined by the truth would be more certainly de termined. How often, in criminal cases, do ten or eleven jurous yield to the obstinacy of the remaining, and agree on a verdict for a lower degree of crims than they really believe the defendant to be guilty of? And in actions for the recovery of money, how often is the amount of the verdict af-

fected by the obstinacy of a single Here in Hawali the jury system is in worse case than on the mainland and line juries; that is to say, white men ified white men while aborigines tried aborigines. The system was as good an attack upon the legality of the a guarantee of justice as could be had under the fallible jury scheme as a whole. But annexation brought mixed juries with the result that no white man seeking justice from a native can be sure of getting it from the native juryman; and any native, trying to wreak injustice upon a white man will generally have the support of native Juryand in the attempt. Furthermore native grand julymen may usually be depended on to clear an accused man of their own race, however strong the evidence may be against him. Such a state of things threatens the foundations of our common social order.

Carrie Nation has joined the army of cranks who are pressing on the President. At the rate the queer people are rallying about the White House the Government will soon need to put another wing on the building for a 'reeciving hospital.

### LOCAL BREVITIES

(From Wednesday's Dany.)

Moss Maria Brede has gone to take charge of the wireless lenguath six-

Dr. Cofer has gone to Mahukona to appoint an assistant qua antine physician at that port. Information is wanted regarding the

whereabouts of William Webb, alea Karl Leo, age about 56 years.

C. H. Kluegel, the well known en-gineer, is a candidate for the price of Superintendent of Public Works. Dr. Cofer, chief quarantine officer,

has, been asked from Washington for data respecting Mauliola teland, the site of Honolulu quarantine station.

Dr. Walter Hoffman was called suddealy yesterday to so to Kausi and day: During his absence Dr. Carl Honman, of Watpahu, will look after the former's office.

Dr. R. G. Curtis left with his bride in the Kinan for Hilo, where the doctor is a practitioner. Mrs. Curils was a Miss Blair of New York, who arrived in the Alameda. The marriage took place here on Monday.

(From Thursday's daily.)

Acting Governor Carter for the present occupies the office quarters of the Secretary of the Territory.

Alexander Young received a cablegrain yesterday before departing on the Alameda for the Coast stating that Mrs. Young was better.

The S. C. Allen executors have brought a mortgage forselosure shit on a note for \$1200 with 7% per cent. interest against John C, Crowder.

Roy H. Chamberlain, Collector of Internal Revenue, capied to Deputy Colcondition of doubt. This struggle lector Harry Coinsens that he would return in the steamer Korea.

ixed by Judge Dole yesterday. He was a former subject of Great Britain. port of a transaction or even heard. Judge Alexander Lindsay was ad-

> terday, Edward Konst has brought suit a gainst Otto Ludloff et al. to foreclose a mortgage on land in the Kapiolani

Judge Dole yesterday ordered the ar rest of F. J. Turk for fallure to pay the fine imposed upon him for violation of the shipping laws.

Consul General Goodnow was charge of two American soldiers on the Hongkong Maru vesterday. They were members of the legation guard at Peking and are being taken to San Quen-

Footings of tax collections for Oahu this month, on the 18th of which taxes became delinquent, have not yet been mode on account of the returns from Walalua, Koolauloa and Koolauboko

### MERCHANIJSUSTAIN **FEDERALJUDUEDOLE**

The directors of the Merchants' Association, at a special meeting held yea. Hav. Ter. 1 & (Fire terday, adopted the following residuals) terday, adopted the following resolument other than such tibn:

Whereas, the business and other property interests of the Hawallan Islands have for the past decade been well and safely guarded and protected thus pursued resulted not merely to by the wise and conservative policy. the comfort of the juror, but in a bei of the Honorable Sanford Ballard Dole in his capacities as chief executive of the various governments of these Isl-

Whereas, the President of the United States has favored this community with the appointment of Mr. Dole as Federal Judge to interpret the Federal laws as applicable to the Territory of Hawaii, now therefore be it

Resolved, that the Merchants' Assoclation of Honolulu express its appreclation of the great and distinguished. well as its gratification in his appointment to the high judicial position of the United States Judge for the Territory of Hawaii, and be it further

Resolved that a copy of these resolutions be presented to Judge Dole and also published in the public press.

### KEPOIKAI DENIES THAT HE HAD PROMBED TO RESIGN

(Continued from page 1.) spect of Presidential Cabinet officers. It has not escaped my attention that almost before the ink was dry upon the cablegram announcing your prospective appointment as Governor, you were out in an interview wherein you in effect demanded the resignations of all heads of departments. The ex-Justice Brewer's opinion of it would trems impropriety of such a course on be interesting. Originally we had color your part, at so very early a stage of your anticipated incumbency of the excontive chair, must now be as apparent to you as it is to all the rest of the community. There are many who look upon your premature and frequent interviews in this respect as nothing less than insulting to the incumbents of the offices referred to, and an impeachment of the judgment of the distinguished gentleman to whom they owe their appointment. And whatever may have been my views as to. resigning my office upon the consummation of the change in question, your own most objectionable course in this regard would of itself have been sufficlent to had me to a change of mind. However much we may differ as to

what is my right and duty in the premines, you may enfely rely on my hearty co-operation with you in all matters calculated to prompts the best interests of the people of this Territory, winout regard to race, creed, color, or political affiliation.

Very respectfully yours, A. N. KEPOIKAL. Treasurer of the Territory.

### Pains in the Back

Are symptoms of a weak, torpid or stagnant condition of the kidneys or liver, and are a warning it is extremely hazardous to neglect, so important is a healthy action of

these organs. They are commonly attended by loss of energy, lack of courage, and

sometimes by gloomy foreboding and despondency. "I had pains in my back, could not sleep

and when I got up in the morning felt worse than the night before. I began taking Hood's Sarsaparilla and now I can sleep and get up feeling rested and able to do my work. I attribute my cure entirely to Hood's Sarsaparilla." Mas. J. N. PERRY, care H. S. Copeland, Pike Road, Ala,

### Hood's Sarsaparilla and Pills

Cure kidney and liver troubles, relieve the back, and build up the whole system.

BUSINESS CARDS.

HACKFELD & CO. LTD. General Commission Agents, Queen St., Hope-lulu, H. I.

A SCHAEFER & CO. Importers and Commission Merphants, Honois-lo, Hawaiian Islands.

LEWERS & COOKS (Robert Lewers F. J. Lowrey, C.M. Cooks) import-ers and dealers in lumber and build-ing materials. Office, 41 Fort 84.

BONGLULE THON WORKS CO.—Ms.
chinery of every descrition made to

HONOLULU STOCK EXCHANGE

Honolulu, November 19, 1903 TAKE OF PROOF Copies Val | 104 MERCANTER E\_000,300 IOC

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METEOROLOGICAL RECORD.

By the Government Survey, Published Every Monday.

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rey tables. The tides at Kahului and Hilo occur about one hour earlier than at Hono-

Hawalian standard time is 10 hours to minutes slower than Greenwich trace, seing that of the meridian of 18" segreen M minutes. The time while the shows at 1:30 p. m., which is the same se Greenwich, a hours o minutes. Full and moon are for local time for the Their RIVER

A BORE THROAT may be on bid cured by applying a fiannel traidese dampened with Chamberlain's Pain Balm. A lame back, a pain in the side or chest, should be treated in a similar manner. For sale by all dealere and druggiets. Beneon, Smith & Co., Ltd., Agents for Hawaii.

### SOUTHERN PACIFIC offers

Choice of Routes and Choice of Trains

"SHASTA ROUTE"-Oregon Express. "OGDEN ROUTE"-New Overland Limited,"

SUNSET ROUTE"—Sunset Limited. Down California Coast. Crescent City Express via San Joaquin Valley.

THE DIRECT ROUTE IS THE OGDEN. The SHASTA will show you Northern California and Western

The SUNSET, Central and Southern California, Arizona, Texas, Louisiana.

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613 Market St., San Francisco.

# HATERS HAND WORK A SUMPLEE SUCIESS

His Methods Speed Nearly a Hundred Thousand Dollars to the Territory---Opening of Bids and Placing of Bonds.

Fish & Robinson, New York, entire issue of 1000 thousand dollar bonds at ..... \$ 1,000,020

Union City Bank, New York, entire issue of million par value

996,261 Hawaiian Investment Co., Honolulu, entire issue

public offer of \$1,000,000, par, of the ington. It was the first time that a Public Improvement bonds of the Terstory of Hangle, advertised on the mainland and at home, the laste helps continue tees the market of Mile Legislative of Hawaii afficies by the Franciscope of the /Inites Surtes.

After the opening of the bids yes-Carter and a representative gathering of himiness men called for informal consultation in the Secretary's office, sent the following cablegram to the United States Mortgage and Trust Company, the agency for receiving bids in New York selected by Secretary Carter on his most prosperous mission:

"Fish & Robinson bld accepted. Telegraph when money paid." The accepted bid represents a pre-

mium for the both lesue of \$626, or onesixteenth of one per cent. At 8:30 in the morning Treasurer Ke-

polkai received the two New York bids in a cipher sablegram from the agency there. The cipher was taken to the office of the Secretary of the Territory to be translated. This task was performed by Charles B. Buckland, assistant secretary to the Acting Governor.

There were present at the countil when the award was made, besides Acting Governor George R. Carter and Pressurer A. N. Kapotkal, the following named gentlemen: S. M. Damon, of Bishop & Co's bank, E. I. Spalding of the bank of Claus Spreckels & Co., P. C. Jones of the Bank of Hawail, Attorney General L. Andrews, Andstor J. H. Fisher, J. A. Gilman, W. Protenhauer, F. M. Swansy, Clarence H. Cooke, B. F. Dillingham, F. J. Lowrey, Jehn Waterhouse and Deputy Auditor than secon. H. C. Meyerk.

Mr. Jones, when the Treasurer solicited advice as to the most advan-Fon's." In the course of conversation following the decision, Mr. Jonés related his experience in unavailingly trying to float a conversion of bonds under the Republic of Hawaii, when Mr. Damon was Finance Minister, although tempting concessions were of-

Acting Governor Carter backed the nion of Mr. Jones, maintaining there was no question of the superiority of Fisk & Bobinson's offer.

Mr. Damon, after the rest of the receing had given coinciding views is team on the first appearance of a w h those of Messes, Carter and Jones, made an address warmly congratulate

The foregoing is the result of the cent mission to New York and Washloan of such an amount had eyer been placed satisfactorily to the Hawaiian Islands, - Not only tild it redound to the great seads of the Acting Government Street Decision of the property of the property of 152

At the instance of the Acting Goversor, the meeting most cheerfully ratterday afternoon Treasurer Kepolkal, ined the acceptance of the bid of Fink

Acting Governor Carter again evinced his grasp of the entire business at the moment the decision was reached. He insisted upon the importance of cabling an immediate acceptance of the bid of Fisk & Robinson. Otherwise there would be a liability of manipulating the knowledge of the situation, when made public as it must be, by New York financiers so as to make a round \$20,000 on more out of the Territory. This might have been done through a withdrawal of the bids, coupled with refusal to take the bonds, and a holding up of the Territory for better terms.

What has been gained for the Territory by the masterly handling of the loan from first to last may here be summed up:

Saved by reduction of interest from 5 per ct., to 414 per ct., in of selling the bonds upder the original plan".......

It was estimated yesterday that the cost of sending the money here from

New York will amount to but \$2506. The bonds will bear interest from October 1, 1902, and the amount accruing up to November 34 is payable on

delivery of the bonds. All of these happy results have been achieved at an expense of prebably less

The men about Kepolkai are not able to keep their own noses above water tageous bid to secept, unheritatingly politically and they don't mind having pronounced in favor of Fisk & Robin- Kepolkai go down with them. Misery

loves company

European powers are binding themselves with arbitration treaties. Is this the first step toward the partial disarmament advocated by the Caar?

Who wouldn't ride with Dickey now!

FROTECT TOURSELF and family assumet attacks of pneumonia by se-

m at once a bottle of Chamberis a Couch Remedy. If this remedy cold all danger will be avoided. It Alware clies and cures quickly. Sold by all dealers and druggists. Benson,

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(Cor thused from page 1.)

of various nationalities with various ways of looking at things, but after all, in my opinion, it is a good kind. It has been because the Hawalian community has not been without a head that things have been accomplished. We have seen in the last ten years since 1893 many decurrences in the atfairs of Hawaff. The occupant of the throne had, for a time at least, disavowed constitutional obligations, and in the opinion of many vigorous minds it was a fitting occasion for declaring the throne vacant. Then occurred the question, which had to be decided immediately, whether Kalulani, the helr apparent, should be the successor, or a

new Government should be established. I did not know myself, and I have no right, except by interence, to say whit your own opinion was at that time: You were able to do, however, what every man can not do, without regard to your personal preference, take up the course decided upon in that emergency by the forceful minds of the

Right there was a critical time. I do not think there was a single other man in this community who could have of all classes, both our friends among the Royalists and other nationalities with the comparatively small American element which had determined upon this course. It was, I think, the feeling of confidence in your personal integrity and that you would unselfishly safeguard the interests of the public. It was from that feeling of coundence in your own fairness more than the armed or any other forces here, that the country lived through this critical point. This is my calm judgment of the situation, and I think history will so record it.

As far as I know, the most fault tha has been found with your administration of the Executive has been that you were not partisan enough. Whether it was from your temperament, or your view of right principles, you were not regarded as an ideal partisan. I am speaking plainly. It was felt that you were just and that was our mainstay during those critical years. It was the feeling your opponents had Dole his judicial temperament. It was that you would see the fair thing done at the very foundation of success in that was the salvation of this community.

I believe there is not a Hawaiian In these Islands who is not thily in accord with those sentiments.

As to the offices which have come to you, you have the rare good fortune. as I look at it, never to have sought for them. When It came to organizing the Territory of Hawaii, and the appointment of the first Governor of the Territory, I know very well what was said at that time with reference to that appointment. I reveal no confidence, I think when I say that on the eve of my going to Washington to look after the interests of the Hawaiian Islands in Congress, your friends said they thought it was your duty to say what you wanted, whether you wanted to be discovered as the control of the t your wishes were. You went so far as not even to tell me whether you would take the position if offered you. It was assiduously said that my main object in going to Washington was to er you wished the appointment, I had

to say I did not know. I like to think it is possible that this position of yours was appreciated by the best men in Washington. And stitution initiated many into the orinthis position that you have taken now, as Federal Judge of the Territory of Hawaii, I like the manner it has come to you, unsought, unsolicited, so far as I know, and I think I know the facts Even when the position was mentioned for you; it was not known whether you would take it. The most that was said was that it was believed you

It is a rare and fortunate thing in public life to have such experience as has been yours. I believe that this community in its immost heart, regardless of partisauthly, wishes you well in Bagiand as in America it was a high your appointment, and that you can honor to be called to the bench. The feel assured of that. In your performance of duty, in your judgment of matters before you, with your judicial temperament, every one feels that you will administer justice without fear or and did not ask for his resignation from favor, partiality or hope of reward, the Hopolulu district magistracy, "No You can carry along with you the agsurance of the confidence felt, that you intend to do the right thing to the best of your ability, and that you will

We know that you will administer your duties as United States District Judge with conscientiousness, and we hope that you will and that duty a great relief from the Executive duties of the last ten years.

I have been requested by the Executive Committee of the Bar Association to extend to you their congratulations and best wishes, and I do with the greatest pleasure. (Applause.)

### OTHER ADDRESSES.

Cecii Brown said in part: "You have been tried as a standard bearer in other prominent positions in this country during many years, and in periods calling for the exercise of great the court the next morning all defendjudgment and discretion, and in every case you have not been found wanting presented. Also be asked for an order in any degree, of the qualities made necessary by the circumstances surrounding or attending your administration during such periods. And I: venture to say (and I know no one will then, adjourned until 16 o'clock this grammay me), that in your administration of the high and exalted position of District Judge of the United States. District Court for the Territory of Hawall, you will but follow in the footsteps which you have beretofore made

clousis administer and cause to be enforced at laws, and administer evenhanded to dee to all, tempering such Justice with mercy whenever in your option or judgment it is necessary or

Attorney General Andrews uttered a feeling of sadness at parting from Governor Dole in the executive. They all appreciated how honestly and emciently he had directed the affairs of the Territory. The heads of departs ments had idened on his judgment, trusting in its soundness. They believed in the principle adopted by the President, who recognized that they had a jurist in the Territory of Hawaii well fitted to fill the office of Federal Judge. It was a matter on which the whole Territory should congratulate itself. "Like Cincinnatus you have itself. taken up the plow again-the judicial plow," Mr. Andrews concluded; "We know that no man is more capable than yourself for this position."...

C. W. Ashford thought it would be

unfortunate if all the expressions on that occasion came from one particular class of political thought. He wished to add his views to those that had been expressed. Sixteen years ago it became his duty—he thought in that yer, room as Attorney General to contend time before Judge Dole had the confidence of the community. The office then sought the man, as it had done then the position which you took with with Judge Dole in other cases since equal chances of success, and who as he had opposed him in his later could have commanded the confidence Rosition, he felt the more free to ex-of all classes, both our friends among. Dress his sentiments now. Through all the rancors of the crises since 1893, st no time had the confidence of the community in Mr. Dole's absolute fairmindedness and disposition to do rightly with all men been wanting, nor was its belief in his desire for justice and in his strict integrity now abated.

> C. C. Bitting wanted to speak for the younger, members of the bar. As a son of old Virginia, whose father and brother had give. their lives fighting against, the flag under which Judge Dole was sworn, he would say that Hawaii could not have a greater honor conferred on it than the appointment of Sanford B. Dole as the guardian for this Territory of the constitution of the greatest nation in the world. On behalf, of the younger members he would express their utmost confidence in Judge Dole.

F. M. Hetch dwelt eloquently poon that prime characteristic of Judge that honorable office. "In you it is a gift of nature." Mr. Hatch said to the Judge. It happened to few men to be but to such a test as Mr. Dole had stood for the past ten years as the chief executive of these islands. Every man would remember how passions ran high, when more than mere party passion prevailed, when the destiny of Hawall was in question, when blood was cowardly shed and there was a cry of vengeance. "You stood increffled." It was a triumph of the judicial temperament. Mr. Hatch said in conclusion that he trusted that in that court the highest; type of true Americanism would continue to be Hiustrated soft the kind which vaunted itself, but the type which administered justice in its highest integrity. I I Kanjukou made a short address

I went away from Ha- President had done hence to Hawaii. walt without the slightest hint of what He knew of no position on earth which was greater than that of an American

Judge. J. M. Vivas recalled a visit he had paid Mr. Dols on his accession to the Governorship. "I told you then," the object in going to Weshington was to Governorship. 'I told you then,' the secure the appointment of Governor for speaker said, 'that your place was on you, and yet when I was asked wheth the bench. I am glad that you are again on the bench. Congratulations should not come alone from the bar but from all young Americans." The late Judge Petee es guardlan of the conciples of Americanism. The President must be very careful in his appointments, and he paid a compliment to the Territory of Hawaii of which every young man in the Territory should be proud. :: 1

George A. Davis said the bar could look forward to the administration of impartial justice by Judge Dole, TReferring to the Mankicki case, he spoke of the narrow majority by which Judge Estes had been overruled and said a motion was to be made in the U. S. Supreme: Court for a rehearing. In speaker then introduced his recent troubles in the Territorial courts, saying that when enemies assailed him:on every side Governor Dole was silent mistakii was made," he concluded, "in appointing you to the position which Judge Estee so honorably and ably Med. H. 14

BUSINESS BEGINS. Clerk Maling then read the commission and the subscribed onth of Judge-Dole, 🦥

Judge Dole said there had been no opportunity for an expression of sentiments in that court relating to the death of Judge Estee. He would therefore appoint District Attorney Breckons. Judge Hartwell and Mr. Rawlins as a committee to draft memorial resolutions and report:

Mr. Breckons, on behalf of the Federal officials, tendered congratulations to Judge Dole. He then moved for an order to the Marshal to bring before ant against whom indictments had been for the attendance of grand and trial furors

The orders were made, and the roll of grand jurous called. The court was morning

Kepoikai has dissevered that President Johnson was imprached. He must have been studying things Amer-

# WINS OU

## Gains the Penalty Besides His Point.

Lyle A. Dickey has won his suit against the Honolulu Rapid, Transit Company for recovery of the \$100 penalty on account of a conductor's refusal to give him a certain transfer. Judge De Bolt's decision in favor of the defendant corporation is reversed by the Supreme-Court, with directions to the Circuit Court to render judgment that Mr., Dole's appointment to the for the plaintiff for the amount bench at that time was legal. His claimed. It is a unanimous opinion of contention prevailed and he was well the appellate court, written by Justice satisfied with the result. For a long Perry. Mr. Dickey appeared in person, and Castle & Withington for the defendant

The syllabus of opinion giving the law of the case is as follows:

A passenger on the cars of the Ho nolulu Rapid Transit & Land Company may not lawfully be charged more than five cents for a continuous ride from the corner of King and Keenumoku streets, along King, McCully, Beretanta and Alexander streets to Wilder avenue. Such a passenger is entitled, without the payment of an extra far: transfer ticket therefor.

### THE CASE STATED.

At the outset the opinion states the case. It is shown that the plaintiff sued under Sec. 9 of Act 69, Laws of 1898 (the Rapid Transit Co's franchise statute), to recover of the defendant the sum of one hundred dollars for an overcharge alleged to have been imade by the defendant on April 7, 1903, while the plaintiff was a passenger on its cars. After laying down the various of the independent candidate in being routes of defendant's tracks, the opin-

At the corner of McCully and King streets, the overhead wires were not connected. The plaintiff entered an east-bound car of the defendant on King street at the corner of Keeaumoku, paid five cents as his fare and asked for a transfer ticket to a car going mauka on McCuliy street. This request was refused. At the corner of King and McCully streets the plaintiff left the King street car and entered the first car on McCully street going mauka and left the latter at the cor ner- of , Wilder evenue and Alexander street. White on the last mentioned car the plaintiff was charged and paid an additional sum of five cents as fare. It is for this alleged overcharge that question is whather under the provision of the demands damages in the spring Act 69 the defendant could law amount of \$2,500.

The case grows out of the great of the great of the great of the great of the case grows out of the great of the case grows of the great of the case grows out of the great of the case grows of the great of the case grows out of the great of the case grows out of the great of the case grows out of the great of the case grows of the great of the gre

Then the governing section of the line drawn parallel to the sea coast and one and a half miles distant thereto and from school; also for transfers charge was dropped. from one car to another on such continuous, trip, upon a connecting line within the limits shove mentioned;" also for regulations by the corporation with the approval of the Governor. and, finally, the penalty of \$100 for an overcharge.

### NOT A RETURN TRIP.

The court makes it plain that a return trip is not in question in this case as the plaintiff did not make nor attempt to make a circuit of the entire rapid transit system on transfers. The tion. The final papers have already opinion on this point reads: ...

The ground traversed by the plaintiff in his ride was wholly between Moanslua on the west and Diamond Head or the east and is conceded to have been wholly make of a line drawn parallel miles distant therefrom. It was entirely within the outer geographical limits prescribed by the first subdivision of the section. There is no requirement general direction. A limitation as to direction may perhaps be interred from the use of the word "trip" in subdivisfor a and the word "ride" in subdivision 1. It may be that these words of themselves should be held to indicate an intention on the part of the Legislature to prevent the taking of a return trip for the one fare (see Dickey y. Haw. Tramways Co., 10 Haw. 287. 200); but it is unnecessary to pass upon that point in this case, for the plaintiff did not attempt to take a return trip. He traveled in one general point, as much so as if he had continued to the Manon valley terminus of the line. Nor need we say how much beyond the corner of Wilder avenue and Alexander street the plaintiff could have ridden before the company could main series or only something like a have lawfully charged him an additional fare; it is sufficient for the purposes of this case to say that the ride which he sid take was well within all the limitations prescribed by the stat-

ROUND TRIPS NOT ENCOURAGED.

It is further made evident, by the following words of the opinion, that the court does not encourage any abuse of the transfer privilege:

The main argument for the defendant is that to uphoid the plaintiers contention is to enable a passenger to ride "around-and around" for a single fare or at least to open the door for fraud of that kind. We do not host that a passenger may so rice. As to is a Mr. Carter on the result of his re- Smith & Co., Ltd., Agents for Hawall, for yourself, and impartially and judy- loan in the columns of the Independent. the possible perpetration of fraud, the Smith & Co., Ltd., Agents for Hawall.

company is authorised by proval of the Governor, restonable rules and regulations to prevent it and its officers and employes will us doubt be able to devise such rules as will prove effective to carry out that purpose and prevent passengers from riding beyond the point to which they may lawfully ride for one fare.

The plaintiff's ride was a continuous one, and the line to which a transfer was demanded was a connecting line within the meaning of the ctatute. The mere fact that the overhead wires were not then connected at that corner would not, of course, render the Mo-Cully street line any the less a connecting line (see Dickey v. Haw, Trum) ways Co., supra, and Haw, Tramways Co. v. Sturdevant, Ib. 597, 599); nor can the company by a mere rule make a line a connecting one for some purposes and a non-connecting one for other purposes. Its power to make rules is always subject to the limitstion that such rules must not conflict with the other provisions of the stat-

### NAKUINA THE MOST PRINCELY SPENDER

Following are further returns for expenses of candidates in the county elections filed with Registrar C. R. Buckland:

Oahu County-A. Fernandez, supervisor, \$100; Chas. Wilcox, auditor, \$107; W. T. Rawlins, attorney, \$54; S. C. Dwight, supervisor, \$45; Chris Willia, Surveyor, \$25; J. H. Wise, sheriff, \$114; Frank Harvey, supervisor, \$41: David Noticy, supervisor, \$75.50; J. W. Pratt. assessor, \$79.50; M. K. Nakuina, clerk, \$282.70; J. A. Gilman, supervisor, \$72; to transfer from the King street to the A. M. Brown, sheriff, \$221.75; J. H. McCuily street line and to receive a Boyd; supervisor, \$55; John Lucas, supervisor, \$41; M. P. Robinson, supervisor. \$128.25.

West Hawail county-S. K. Pus. clerk; 145; John Kaelemakule, supervisor. \$59.75. Kausi County-Edward Palmer.

Mr. Nakuina bears away the championship belt of the Territory for munificence. The old saw that "money talks" has been made toothless in his case, for he had the not unusual fate most unmercifully rolled down the gnowy slopes.

### HU YONG SUES BISHOP & CO.

Hu Yong yesterday brought suit against Bishop & Co. for \$2,500 damages for alleged false arrest. The Chinese plaintiff claims to have gone Into Bishon's bank in the ordinary course of husiness, when he was accused of attempting to pass confrequent money-The bank officials are clienced with having called in High Sheriff Brown the action is brought. The facts of and the plaintiff says he was wrongthe case are undisputed and the only fully detained for forty hours. For all

Then the governing section of the The men were taken before the United law is quoted, which provides a fare States commissioner and discharged not to exceed five cents "for a conting after their arrest. It seems they had yous ride anywhere between Diamond a lot of old quarters, received from Head and Moansius, or make of a China, in their possession, and which were thought to be bogus. The mint officials, however said they were rood from," with half fare to children going and lawful coin of the realm and the

### **PLANTATION CAN'T GET ITS MONEY**

The Honolulu Plantation Co., is still waiting for the \$75,000 which the Navy-Department agreed to pay for lands taken for the Pearl Harbor naval stabeen drawn up, but unfortunately fust at present the United States cannot lay its hands on the money. Not that the government is so near bankrust as to be unable to pay a little bill of to the sea-coast and one and a half \$75,000. for the money is on deposit in the bank here. The fund is to the credit of the late Paymaster Stewart Rhodes and Paymester Brown cannet that each five cent ride shall be in one draw the necessary amount. Orders will have to be awaited from Washington transferring the Navy Department's account to the order of Paymaster Brown. In the meantime, the Honolulu Plantation is losing in interest nearly twenty dollars for each day

### Grand Jury Mas Postelline Cast.

Hawali would not be fitself if it dis not furnish its table with a share of direction only, away from his starting any spice of scandal in the mainland marts of gossip.

They are not yet done over there with the postoffice revelations and their sequence of blighted reputations. Whether Hawaii has a share of the doctored postage stamp case may shortly be known-that is, through a grand jury report. Happily, though, nothing may develop more than an unintelligible statement of cases investigated without tangible result.

What is known is that the Federal grand jury for the District of Hawall is investigating a postoffice case.

CHILDREN LIKE TO TAKE IT. The finest quality of granulated load sugar is used in the manufacture of Chamberlain's Cough Remedy, and the roots used in its preparation give it a flavor similar to maple syrup, making it quite pleasant to take. Children like to take it and it has no interious after effect. It always cures. For sale by all dealers and druggints. Bes

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Hartford, Conn. The Alliance Assurance Company, o

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kindred allmants, afferding prompt relief where
wither well-trief remediar have been powerfees.
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is has best-too much a fashion to employ mercury,
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end rain of health. This preparation purifies the
whole system through the blood, and thoroughly
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# WILL CASE

### Judge Gear Presents His Views in Written Decision.

Judge Gear has filed a written decision bearing on his appointment already reported of Edmund Pearson Dole as guardian ad litem of Muriel Campbell and Beatrice Campbell, minors. Much of it is taken up with argument and authorities to show that the mother of the miners, Mrs. Campbell Parker, is not entitled to nominate the guardian as she essayed to do by petitioning for the appointment of A. F. Judd. At the same time, concluding, he quotes from Mrs. Parker's testimony to corroborate his opinion that her desire was that her children might have everything that belonged to them.

In his comments on the matter, Judge Gear holds that the sale of the San Jose property to Miss Alice Campbell for \$175,000 was a "sham sale," for it appeared not only that she did not pay a cent for the property but also that she did not understand anything about the matter. Miss Campbell, the Judge holds, was used as a "dummy" through whom the trustees under James Campbell's will should secure title to the property. He does not believe the sale can be allowed to stand in case propr judicial proceedings are instigated to set it ande."

Mr. Bird, the San Jose attorney, Judge Gear says, "is of course much interested in keeping matters in statu quo, as his position depends upon so doing. But the court must blame the trustees for allowing this to go on, for both Mr. Geell Brown and Mr. (J. O.) Carter have admitted to this court that they believe the will to be void in Cali-fornia. They are, however, following the advice of Mr. Bird, who has sought and is seeking to keep this property in the trust created by the will, on the ground that this was testator's desire. As the California property was purchased after the will was made I do not see how such a conclusion can be reached, but, even if it were so, the children have the right to what legally belongs to them, and if the trust be vold in California this property would descend directly to the heirs who are entitled to it in fee simple, and a con-tention to the contrary is adverse to the interest of the children."

## NO CLOTHING

Helen Waines Kaolulu has filed suit for divorce against Robert Kini Kaolulu for failure to provide. They were married in Honoluly in January, 1960. and since that time the wife claims her husband has failed to provide for her, as he drank and rambled fre-

She was compelled to get clothing from friends, and had to look to them also for rent money. During the past struck and beaten very often by her

### LOCAL SEAMEN OPPOSE RINDER

Honolulu Harbor No. 54 of the Assoclation of Masters and Pflots has opposed the selection of Captain Rinder to command the new American steamship Mongolia. The resolution of the local harbor went forward on the Gaelic last Wednesday to Secretary of the Treasury Shaw. The local harbor took action at the request of the San Francisco harbor, although it did not feel directly concerned in the matter. It is thought that action will be taken by every Harbor in the United States. Rinder has been a member of the British Naval Reserve.

### Descried Her Husband.

John Fernandez Cazinaha has filed suit for divorce against Maria Cazinaha on the ground of desertion. The couple were married in May, 1880, at Ports del Galda, Madeira Island, by Rev. Father Coelho. They came here in 1883. In May, 1899, the libelies went to St. Michael, Island of Madeira, on a visit, and returned in Jamiary, 1900. In that month the libellant claims his wife wilfully deserted him and has since lived at Pauce.

D. L. Van Dine, of the Federal Experiment Station, left in the Kinau for tour of investigation among the coffee plantations of Kons.

### Good Eumane Work.

On Monday just Humane Officer Beneit completed his first year of service in behalf of dumb brutes. In that time the officer has noticed a marked charige in the attitude of people in general toward the work, and his efforts are now alded instead of being retarded. During the first six months he averaged about six arrests per month, but at present seldom makes an arrest, his warnings being sufficient to cause offenders of the law to rectify mistakes or treat their animals better

Judge Gear admitted Hugo Heinrich Haneberg, German, to American citisenkhip in open court yesterday morn-

bestiness stay of some time on Kausi. George M. Paris has returned from

# THE FACTS WHICH SMALL ASSAULTED FARMERS ARE ASKING FOR

### Agricultural Possibilities in the Hawaiian Islands, Soils, Climate, Variety of Productions and Markets Described by U. S. Expert Smith.

Unqualified praise is due the Promotion Committee for sending out a pamphlet by Jared G. Smith on "Agriculture in Hawaii." while at work in the Makiki quarries Several thousand copies will leave on the Alameda and go where now beld in solitary confinement in Oathey will do good among American farmers seeking a new home, hu prison on a bread and water diet The descriptive text supplied by Mr. Smith is supplemented by a Montaro Colon is the name of the chapter on the Land Laws and Open Areas. Extracts from Mr. man. He was sent up for two years Smith's contribution, excluding the familiar facts he gives about tempted to kill were Henry Cockett and sugar, pineapples, rice and sisal follow:

### AGRICULTURAL POSSIBILITIES.

Although the Hawaiian Islands are within the tropics, the duties. Guard Cockett gave the order climate is sub-tropical, rather than tropical. Summer maximum but the Porto Rican was slow to oney. temperatures seldom range above 85 degrees Fahrenheit, while at the prisoner then natly refused to sea level winter minimum temperatures seldom reach 50 degrees, what he was told. He showed fight and The climate is characterized by equality of temperature. The daily him in combat. Cockett again ordered range averages about thirteen degrees and seldom exceeds twenty the convict to carry out his instructions. At Honolulu the average temperature is 74 degrees Fahrence and as he did so, the prisoner, enheit, with a daily range of eleven degrees. The daily range usually armed with the 14-pound sledge have increases toward the higher elevations, ranging from 16 to 20 de-grees. The average relative humidity is 72 per cent., which is low for the tropics, and to this fact may be attributed much of the salu-head. The attercation in the meantime brity of the climate. The climate is insular, that is, the rainfall, had attracted the attention of Weber, the number of cloudy or clear days per month, the amount of wind move to assault. Weber leaded upon and the himidity of the air, vary according to the location of the him and diverted the blow. The sudland in relation to the mountain ranges of the islands, or in-relation denness of his own attack, however to the altitude above sea level. Frequent light local showers are to make a struggle and both guards characteristic of the Hawaiian climate. They often seem to come had their hands full for about a minute. from a clear sky, and it frequently happens that one locality may be They finally wrenched the hammer drenched by a sudden shower, while a few hundred yards distant struck several times on the head there has not been a drop. The prevailing wind is the Northeast. The other guards drew their revolvers trade. It blows on an average 200 days in the year. Devastating and covered the remaining prisoners to winds are of rare occurrence. There are light sea breezes and occahardly necessary as they took little insionally a "Kona," which is a severe Southwest wind. November terest in the outbreak of their fellowis the special season for the Kona, which, in some sections and at convict.

long intervals, causes considerable damage. The rainy season exwas nandewied. In this condition he
tends from November to the end of March. Electrical disturbances was placed under guard and returned are occasional but not serious. The rainfall varies according to the to wison. seasons of the year and location. The Northeast and East sides of authorities considerable trouble since each of the Islands are wet, the opposite sides of the islands dry. his incarceration about ten months The rainfall in certain districts on the dry sides of the Islands may are. He has made three or four as-not exceed twenty inches per annum, while on the wet side it may so nearly successful as that of yesters average as high as thirty inches per month. The valleys, plains, day. plateaus, guiches and mountains all have a climate peculiar to them-

The soils of the Hawaiian Islands are mostly volcanic, the only exception being certain low lying coastal plains, which are of a coral origin. The soils differ widely from most of the agricultural soils on the Mainland. They require different treatment. Their chief characteristics are their acidity, the exceptionally high percentage of iron and their high percentage of nitrogen. Most of the soils are also rich in phosphoric acid and potash, but the phosphoric acid is to a large extent locked up with the iron in an unavailable condition. As a general rule all of our soils require the use of fertilizers to secure the best results. The physical condition of the soils is such, and the prevailing slope of the agricultural lands is so high, on many of the islands averaging 500 feet per mile, that ir rigation is required, except in regions with a high average monthly rainfall. Our soils do not retain moisture. The average content of nitrogen exceeds 0.3 per cent., or six tons in the soil to the depth of one foot on an acre of land.

To reply to numerous queries in regard to what can be grown by prospective settlers in the Hawaiian Islands, the following notes in regard to some of the chief agricultural products are given.

### - BANANAS.

Bananas require a rich soil, high temperature and abundant rain fall or irrigation. There are several varieties cultivated, some of which are native and some imported, but that known as the Chinese is the chief export variety. The banana is propagated by means of suckers or off-shoots from the base of the plants. These in the case of the Chinese banana are set at intervals of about ten feet each way. The ground between them should be cultivated, fertilized and kept free from weeds. The plant fruits in from eighteen to twenty-four months from the time of planting. Each plant bears only one bunch and it is then cut down, but each plant throws out a great many suckers, and these develop in succession, so that the bananas may be harvested almost continuously, from the time they first come into bearing, for a number of years. Bananas sell in the San Francisco market for from \$1.25 to \$2.50 per bunch. Even at the yower price there is a very good margin of profit. The acreage of this crop, although already large, is being rapidly extended. Good banana land may be obtained in the vicinity of Honolulu where the bananas must be grown by irrigation, or in the vicinity of Hilo, where the conditions for the development of this industry are exceptionally favorable. There are about ten freight carrying steamers from Honolulu to San Francisco or other Pacific Coast ports and one direct from Hilo,

There is a small export trade in the alligator pear, which is a fruit that can be shipped in cold storage. There is a very large local demand for this product, and the demand is growing in San Francisco and other Coast ports. Shipments of selected fruit bring from \$4.00 to \$6.00 per dozen in San Francisco. The local demand is also quite large, and local prices are quite satisfactory. The alligator pear is a tree susceptible to orchard cultivation. It requires very little water and grows better at the lower than at the higher elevations. Another fruit for which there is a large local and a growing expect demand is the mango. There are several varieties already in cultivation in the Islands. Grapes are raised by the Portuguese settlers. The Isabella is the variety chiefly grown, but all of the European wine and table grapes also thrive. The lower lands of the Kona coast of Hawaii and Oahu are especially suited to the cultivation of grapes. Some wine is made but the local market does and will for some time to come absorb all the good table grapes that can be produced. Other fruits which grow well are the Cherimoya, the orange, especially the seedling varieties, the mandarin, lemon, lime, vi. strawberry, papaia, fig and many others. The papaia

(Continued on Page 7.)

# Porto Rican Con-

for burglary. The guards whom he at-Mr. Weber. formerly a motorman on the Rapid Transit railway Colon was breaking rock with a vang

when he was ordered to perform other

### WHAT WE HAVE learned. The century just closed

was the most wonderful of all

the centuries since the morning of time. Whether the twentieth will equal it rumains to be seen, Conspicaous among its inventions and discoveries is the advance made in preventing and curing lisease. Great epidemics no longer sweep over the world; men have learned how to choke these monsters in the hour of their birth. And as to those diseases which were practically universal and continuous, discases which afflicted and destroyed more people than occasional outbreaks of cholers, smallpox or plague, we have them that, twenty-five years ago, was not dreamed of as possible. The list includes Scrofula, Anemia, La Grippe, Influenza, Troubles of the Throat, Lungs, Stomach and Bowels and all Wasting Complaints. Over these scourges of the human race the specific and antidote provided by progressive medical science is WAMPOLE'S PREPARATION It is palatable as honey and contains the nutritive and curative properties of Pars Cod Liver Oil, extracted by us from fresh; cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. Its medicinal and reconstructive power is more than remarkable; nothing compares with it. It never fails to make the weak strong and as an effective remedy for wasting diseases it stands in the front rank in the match of medicine. It comes to the rescue of those who have received no benefit from any other treatment: the blood is purified and disease germs thrust out of the system. It cannot fail. If hard to please, try it one bottle convinces. The first dose dose obvious good. Get the genuine. Sold by all chemists here and everywhere,

INFLUENZA is always more or less prevalent this sea on of the year. This Enoch Johnson diseaselys very similation a severe cold that he game and if allowed to take the course to plaintiff, his a given liable to cause ser' us -rs tx. best freatment for funners a is to avoid claring the representation exposure and fore camberlain's amount of the secret with " s --dicine gives and fur". Cough Remedy. immediate relic a 1 : uned as directed, will war " a tangerous con- was sto " a sequences. For we want designs and druggists. Bens - Amith & Ca. Ltd., the ma

Inspector F. M. Sechtel of the immigration service left for the taland of to. W. T. to take the telestore. Hawail resterday,

## vict Wields Rock Hammer.

"I suffered greatly from loss of appetition indigention, pains in the stomach, weakness and nervousness. Several doctors tried vain to give me relief. A friend then inde me to try Ayer's Sarusparille, for it had do: him much good. The first bottle works wonders for me. Boon my appetite dass

back, my indigestion was cared, and I we **AYER'S** 

est, and you must digest your for too. If not you will become wer pale, thin. Good foud, good appear good digestion, — these are essential.

our howels in good condition by we

Ayer's Pills. They cure or

HOLLISTER DPTO

## Four Trial Jurie on Duty Last Tuesday.

Several defendants pleaded to indic ments before Judge Gear, yesterds morning, most of the pleas being no

A motion to quash the indictment Loy Yin, presented by E. P. Dole, wa with robbery among several others ar prehended for connection with the Ew road outrages, which included for milder. Another indictment is pend ing against Loy Yin,
Man Cheong witherew his plea

not guilty to indictment for unlawfullquor selling, and pleading guilty wa fined \$100 without costs.

Your Ping withdrew his plea of no guilty to indictment for selling liquo without license, and pleading guilt was fined \$100 and costs. The trial of Samso Souts Camera to seduction was resumed from Monday

resulting in a verdict of guilty. Sen tence was set for 10 o'clock today. Siu Sau was put on his trial for a sault with a deadly weapon on a Chi nese woman. W. S. Fleming for th Territory, E. A. Douthitt for the de fendant. The following jury were ac cepted: J. H. Wise, Sol. Keoloewa, I H. Paris, J. B. Pakele, Chas. Notley L. J. N. Hipa, J. H. Davis, G. W. Hay selden, Theo. Wolff, W.-A. Hall, Q Woolsey and C. B. Lemon.

### CIVIL JURY TRIALS Judge De Bolt yesterday heard th

trial of the assumpsit suit for \$299. of B. S. Gregory vs. L. B. Kerr, de fendant, and W. M. Campbell, garn shee. P. L. Weaver for plaintiff; Creighton for defendant. The following jurors were found satisfactory on be ing drawn: E. McCorriston, Isaa Adams, E. R. Adams, E. E. Mossmar W. H. Thornton, John Kusans, Isado Levingston, E. H. F. Wolter, 1\*aa Noar, Ben. Guerrero, Isaac L. Cocke and H. Meek. They retired at 3:15 t consider their verdict. At 3:35 they re turned, finding for the pisintiff to \$297.35. Defendant excepted to the ver dict as being contrary to the law and the evidence, also on the ground of excessive damages. . Late as the hour was, Judge De Hol

considered the twenty-five minutes re maining shered he improved fore he ordered a jury called to suit of Manosi D. Silveira vs. Robertson & Wilder for plain in tle & Withington for defendant 💛 a second trial and among quest and t furors was that of whether any had sat on the former trial. lowing men were found satisf- -- drawn: Benito Guerrero, -as H Frasher, E. McCorriston, Isaa - A Jam V. H. Thornton, Isaac Charles Butske, P. M ... Kuasna, E. E. Mosema: and Issae Near.

W. C. Acht et eres the The was a contra

Patre .

NEWSPAPERARCHIVE®

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Agents for the Hawalian Islands.

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### YOUR SUGAR CROP

Depends on the right quantity and quality of Ammoniates it has to feed upon, Nitrogen (Ammonia) being the principal material removed from the soil by sugar cane.

### A few dollars worth of

The Standard Ammonists.)

fed to each acre of growing cane will give surprising re-

Planters should read our Bulleting giving results of Agricultural Experiment Station trials. They are sent free. Send name on Post Card.

WILLIAM S. MYERS, Director. 12 16 John St., Hew York,

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<u> CPCPCPA, TSPA, PCPCPCPABACITÄTE (CPCPCPABACITATE (CPCPC</u>

## BREMEN FIRE INSMINERS AND FACTS WHICH SMALL FARMERS ARE ASKING FOR LOCUMU

(Continued from Page 4.)

is the best breakfast fruit. It stands on about the same basis in the islands as the grape fruit on the Mainland. There are a good many hundred acres devoted to its cultivation.

CASTOR BEANS.

I here is one castor oil mill on the Island of Oahu for the manufacture of castor oil from beans locally grown. The returns from this industry have been very good and the area planted to this crop is being rapidly extended. The advantage in the cultivation of this crop in the tropics is that the beans bear at about eight months from the time the seed is planted, and continue to bear perennially for from about five to seven years, the ripening being continuous, with crops at monthly intervals during that time. The seed is planted on well cultivated land in rows eighteen to twent-four feet apart, from eight to twelve feet apart in the row. As soon as the beans are two or three feet high the terminal bud is nipped and as lateral branches are produced these are again nipped. Plants in this way are forced into a broad shape and spread out so as to almost come engine. The non was unconscious and pletely fill the rows. Castor beans sell in the Honolulu market at in this condition was lifted into the from \$50 to \$65 per ton. The yield averages about a half ton per baggage car and brought to the city acre per annum and the plants come into full bearing at the end of pital, where he died. three or four years.

DAIRIES. There are about fifty dairies on the Island of Oahu, and many cident, resulting from injuries inflicted dairies on all of the other larger islands. While there are many during the night of Monday by a individual herds, headed by registered bulls, and also many fine returning to his home in Kalihi under cows of the best dairy breeds, the average quality of the cattle is the influence of liquor and lay down to rather low. Sorghum is the principal forage crop. This rations were examined and may be cut every three months or most frequently for some Laepas, the vice of Sam Kla, resutimes six or seven years. All that it requires is fertilization and cul-fivation. It is without exception the best forage plant that we have he was sober. He went to Honolulu in the Islands. Most of the dairy cows are led sorghum with grain and probably street for home on Monrations or milled feeds such as bran, middlings, shorts, all of which day night by wiking on the track. She are imported from the Mainland, or with the algaroba bean, a local oil, but this wa probably in excess of product similar to the mesquite bean of Texas and the Southwest, his real age. Milk sells at retail from 7 1-2 to 15 cents per quart and butter for Andrew Holnes, an Oahu Railway from 30 to 50 cents per pound. There are enough local dairies to from 30 to 60 cents per pound. There are enough local dairies to body on the outside of a curve, two supply milk and cream for all the population now in the islands, but miles west of the city, on the town side the monthly import of butter is still quite large. It is considered of the slaughte house. The man was difficult to make good butter at the lower elevations. Most of the his head between the ties. He was not large ranches and dairies are located on the mountain slopes at aware of infilliding any injuries. The elevations of 3000 to 7000 feet.

### POULTRY.

There is a local market for eggs and live poultry, especially From the position the body was lying the production of chickens and turkeys. The duck industry is en- car steps or other projections might tirely in the hands of the Chinese. Eggs sell for from 30 to 60 have struck him Witness ran the first cents per dozen, and live chickens from \$1200 to \$1500 per dozen. There is a crossing near where the There are a great many tropical diseases of poultry. The losses body was found where all engineers are from "sore head" are very high among chickens, especially during required to blow a whistle. the summer months. All of the islands, with the exception of when the body vas picked up. He jump Kauai, are overrun with the mongoose, which has an especial liking ed from a car when the train stopped for eggs and young chickens. There are a great many openings for poultry raisers who understand the business, either in the vicinity he said lying leside the track who raised his head would have been struck.

### DISADVANTAGES AND DRAWBACKS.

The farmers of Hawaii, in common with the farmers of other fractured ind there were contusions. countries, must meet and, to be successful, overcome certain difficulties. The great advantage of climate and geographical position offset, however, many of these difficulties. Perhaps the most serious problem is the question of controlling the many injurious insects, This, however, is true wherever agricultural products are raised. The injurious insects are almost entirely introduced forms and their greatest injury is to field crops since the fruit industry is not as yet developed to any extent. The principal insects injurious to fruits are the many scale-insects, mealy-bugs and related species. The sugar planters have to contend with a borer (the larva of a beetle), a leathopper, and several others more or less serious. Plant-lice, cutworms, a melon-fly, and other insects attack garden and field crops Ornamental trees, shrubs and vines are attacked by a so-called Japanese "rose" beetle, and Fuller's rose beetle. The general use of direct, active measures of control will keep these pests in check as is done by such methods in other parts of the United States. It is certain that precautionary measures, the use of insecticides, and cultivation based on the habits and life-instory of the insects, together with the use of fertilizers, will control these injurious pests. High winds during the winter, which is also the rainy season of the year, constitute a serious drawback to the cultivation of many vegetables and annual crops but are not considered serious in relation to the cultivation of perennials. Inter-island freight rates are

high and methods of communication by land not of the best. What many of our readers. Mr. Preston is ever drawbacks there may be, those who now live in the Islands St., St. Kilda. He says: "For some have faith that they are such as can be overcome. There is as yet no agricultural college in the Islands. The United States Department of Agriculture has established an experiment station similar to the stations existing in each of the Mainland States and Territories. This station is located in the vicinity of at Hilo and one at Wahiawa. These bodies both have quite a large

Honolulu. There are two agricultural societies in operation, one membership. There are quarterly institutes or public meetings field Doan's Cintment is splended in all at which papers are read, so that there is opportunity for discussion diseases of the skin, exama, blies, of the local problems confronting the farmer in Hawaii. The HawaiiIt is perfectly safe and very effective. an Planters' Association maintains, at its own expense, an experiment station which is devoted to the interests of sugar cane.

JARED G. SMITH. Signal Agent in Charge of Hawaii Experiment Station.

### KUMALAE ON THE GRILL **BEFORE FEDERAL GRAND JURY**

Honolulu H. T., Nov. 1, 100 3.

The telegraph grand here vesterday started on its legislative insessignition. Nearly a learn legislators passed within the secret as a Hawaiian or ident of the roya. regulation of the Court room, where the jury is a secrabled roung, who was a ting Governor Dide is I some of them at least of the oy themselves. Jona' K malae at the moment was invited by him to At remain. For any Secretary A G. Hansen To as a fe to the Government was the man about and it within the jury ment the interiors as a carrier uniform. The right person and he have red and extited when he responsible back has a been obtained, of grounds, the c The No. 1 At a property of the above to the grill the covied line the Baran Tale and hymn air as Starts Attended as the first spicears one enjoy to the proper was a series of last emotal. meta has an about the border remained in the a short the co

Regreser to see a nell open orb. Harris and Angrain ware as The solution of the first of the second of the second of the second

A TOTAL OF THE MERCEN AND THE STATE OF THE Phase to eatisfact this account for them or need a fighter, casult.

# timely Death Last

A coroner's ary held an inquest at the police staton last night which

train was backet up and the conductor picked the body up and placed it in the baggage car. The train went about 120 feet beyond the body before stopping.

Dan Kamakatahoa was on the train The man's head was lying two inches

Dr. McDonald, who had examined the found the skull had been

Where This Visitor is Welcome.

Is any iching skin disease. Itching ples is known in nearly every household.

They're with bad company. They come early stay late.

when they go. Know how to keep them away? Use Donn's Oirtment

Doan's Cintment cures piles and all itchiness of the skin. A Victoria, Australia man endorses

dent of Victoria for over half a century and therefore will be known to considerable time I have been troubled with Eczema on my legs. The irritation at times was very great especially at night, and it caused me considerable annoyance. I obtained a pot of Doan's Ointment and I must say that it aliayed the irritation almost immediately.

chemists and storekeepers at 50 cents per box (six boxes \$2.50) or will be mailed on receipt of price by the Hollister Drug Co., Agents for the Hawaiian Islands.

### Last Official Recontion. Captain di Vascello of the Italian

cruiser Elba called on Governor Dole Tuesday morning. He was secompanied by Convul F. A. Schnefer. Secretary Carter was present, also, at his invitation, B × Boyd, whom the Italian have on mander remembered har are as er er fried the building. uson, the lawset will person to a foreign righton.

and the received to the time them are the second to the se

that would make assessables of a

ing parted with the larger chare of at surveys here but such meanings

## Sam Kia Met an Un-Tuesday.

The incoming train yesterday morning from I wa when about two miles west of the civ near the slaughterhouses, discovered a tragedy of the preceding night. At aged Hawaiian named Sam Kia, was found almost dead along side the track, lose to the rail. His head showed that he had received a terrible blow, pesumably made by an

Net a Home in Honolulu 75t.

And ecsens is no stranger.

We always say 'good riddance'

our claims Mr. Willam Presion has been & resi-

Doan's Cintment is a good remedy and I can highly recommend it for

Doan's Cintment is sold by all

It has been said by a few whom I have spoken to in Honolulu pegarding the tourist question, that "the class of tourists who would besitate to pay the present rates to this place, are not those desired." Such assertions should rever come from the practical business

In the first place facts will prove that ess ruen who have that their weads through conservative methods

ned round of pleasers of the second and families; and white they what of white their memer freely, and their che but when they reach then download a are

were entirolling, who, where they go teror the review of the later. The last the river is a called of at atential to 可由 energy SERVE STATE COLLEGE TO THE TOTAL PITT ON A STEAMEN FOR HOWK

Soak the hands on retiring in a strong hot creamy lather of Dry, and apoint freely with CUTICURA the great skin cure and purest of emol-

off and holes in the palms. Complete External and internal Treatment for Every Humour, Consisting of Curicura Soar, to cleane the skin of create and scales and soften the thickened cutcle, Curicura Cintennet, to instabily allow techning, inflammation, and irriuation, and sooths and heal, and Curicura Resolventy, to cool and cleanes the blood, Single Ser is often sufficient to core techning, disflucing humours, with loss of heaven all clear falls. Austrapost R. Towns & Co. Sciner, N. S. W. African department of the Control o

## LOWER FARES NEEDED TO GET TOURISTS TO COME

Editor Advertiser: From time to steamer fares continue. time I have read reports concerning the doings, of the Hawaiian Promotion Committee, relative to the hest measures for inducing tourists to visit us; and as a citizen having large business interests here, i beg permission to offer a few practical suggestions, through your valuable paper, to the Committee and all who have the future development and interest of these Islands a

During my recent visit to the Coast, which took me through the greater portion of the Northwest of the United States, I had occasion to travel over a great many railroad lines, and found that at least one-half of my fellow passengers on the crowded cars. were tourists who had taken advantage of the cheap rates existing to visit the Pacific Coast. And this class was made up of well-to-do farmers, manufacturers, and business men generally. from all over the Middle West, and many of them from the States farther

WHAT EXCURSIONISTS SAY.

I personally conversed with quite a roads, and at hotels where we stopped, to visit these Islands, what are the The most unwelcome visitor in Hono- country and things in general, when it our knowledge that the Colonies and as discovered by my fellow travelers. that I was from Honolulu, they were all interest at once, to find out all about these far away islands, on which occasions, of course, I did my best to talk up the beauties of the climate and to their utmost capacity to accommolow, generally, the fatal question, "What is the fare to the Islands from S.F. ? and when I would tell them that it was from \$135 to \$150 for the round trip, their interest would immediately "fall flat," Now these were not laboring men who were traveling on a few dollars which they had laboriously saved up, with barely enough to return home upon, but were, as I have said, well to do, many of them wealthy. Two gentlemen with whom I came in contact were bankers.

I learned that those traveling from New York and vicinity, were doing so on round trip rates of \$75; those from Chicago and cities near there, for \$50. These tickets carried them to S. F. and return by one of the northern roads, via Scattle and Portland.

I can personally testify to the fact, that most of these tourists stopped at the best hotels in the cities they visited and spent their money freely, in buying curies and doing the towns thoroughly.

I could say much more regarding the impressions I gathered from conversations that I listened to, and facts which came under my personal observation, but think I have said enough to sustain the argument I shall herein set forth.

### CLASSES OF TOURISTS.

erren-eighths of the purist travel is minde up of the midd a class, before mentioned; many are a measured in cisurered dealing, who have not as he a thousand or two, to have a lone one

The mong men, on account of her hum

CHEAP TOURISTS PAY.

lients. Wear during the night old,

loose kid gloves, with finger ends cut

As an object lesson of what cheap tourists rates will do, one has only to go to Los Angeles, Cal., and see & large city which has been almost wholly built up by well to do business men of the East, who were induced to go here through a cheap passenger tariff, These men have made Los Angeles

the most beautiful city in the world. from an architectural standpoint. They were not men who went there to engage in business, but to build winter and summer homes, and to escape the cold of the East and live in hotels.

For years that city depended on local industries to keep its too numerous hotels and houses filled, until the railroad people were induced to put fares down, and keep them down, since which time it has been impossible to get building materials there fast enough to build hotels, etc., to accommodate its visitors.

CHEAP TRANSPORTATION PROS-PECTS.

Assuming then, that cheap transpornumber of these excursionists, on the tation is necessary to induce tourists coming St. Louis Exposition, to be held during 1904. The steamers from those countries, most of which make Honolulu a port of call, will all be taxed attractions here; and then, would fold date the crowds who will seek to visit America next year. It is greatly to be desired that many of these should be induced to stop over and visit our beautiful Islands, but I can assure you they will refuse to do this when they learn of conditions existing here. The stop over will simply mean forfeiting the chance to resume their journey. All through steamers being crowded. there will be no vacant berths for any who may wish to embark at this port

Heretofore local passengers to the coast have depended largely on through steamers, our one local steamer, the Alameda, not having accommodations for only a fraction of those who visit the coast every year.

Next year under existing conditions, it is safe to say that the most of our island travelers will be disappointed in the expectation of visiting St. Louis or the mainland.

### LIMITED TRANSPORTATION FACILITIES.

In other words at the present time there is not in sight visible transportation facilities to accommodate our lecal travel to the coast during the greater portion of next year. When the above facts become known, it is very evident that through tourists from the Colonies and the Orient, as well as those who might come here from the mainland, will avoid visiting or stopping over at Honolulu.

There is only one remedy in sight for the condition that threatens us next

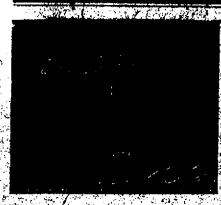
season, that is more local steamers, Our Board of Trade and Chamber of Commerce should make streamous efforts to secure such facilities for 1904. otherwise great hardshine will be worked upon our own people, as well as the less of the tourist patronies which should be ours, but which, from present indications, will absolutely fall

In view of the above facts it is also evident that it is useless to ask the stramship companies to cut their rates in induce tourists here.

There is a solution, and a practical wie, for our potited up come con. The education is entirely in the hands of our local capitalists and his near men Through them only can relief come, if they will act

Thatend of year a historian wid entine these is an in he mage ignitions who have the me offer and terelopmer grand from the repole they have medically called the begantles a disability and talks shough

NEWSPAPER HHI.HIVF



ARRIVED.

Tuesday, Nov. 17. C.-A. S. S. Moana, Carey, from Colo-

Stor, Kausi, Bruhn, from Hawali morte, at 5:15 d. m.

Wednesday, Nov. 18. Am. bktn. S. N. Castle, Nilson, 17 days from San Francisco, at 7 a. m. Am. bk. Gerard C. Tobey, Lancaster, 25 days from Killisnoo, at 9:15 a. m. Stmr. Mikahala, Gregory, from Kanai ports, at 4:40 s. m.

T. K. K. S. S. Hongkong Maru, Filmer, from Yokohama, at 5:45 p.m.

Thursday, November 12. Am. bark Albert, Turner, 13 days from San Francisco at 1:30 p. m. Gaso, schr. Eclipse Gahan, from Ha-wall and Mani ports at F as m. with 20 bags coffee, 1000 bags sugar, 50 tone iron, 20 head catile.

Stmr. J. A. Cummins, from island ports at 4:80 p. m.

DEPARTED.

Monday, Nov. 16. Am. schr. Willis A. Holden, Lowell, for Port Pownsend, at 4 p. m., from anchorage off port.

Tuesday, Nov. 17. Stmr. Kinau, Freeman, for Hilo and way ports, at 12 noon.

Stur. Maul. Bennett, for Mani ports Stmr. W. G. Hall Thomason for Rausi ports; at 5.0; m

T. R. K. S. S. America Maru, Going, for the Orient, at 1:20 p. m. Stmr. Iwalani, Mosher, for Kaspa pali, Lahaina, Kihel, Makena, Kukuihacle and Honokaa, at 5 p. m. C.-A. S. S. Moana, Carey, for Victoria and Vancouver, at 9 p. m.

Wednesday, Nov. 18. O. S. S. Alameda, Dowdell, for San Francisco, at 9:15 a. m.

Am. sp. Louisiana, Dalerow, for San Francisco, at 11 a. m. Stmr. Lehua, Naopala, for Molokal. Mani and Lanai ports, at 5 p. m.

Stmr. Kauak Bruhn, for Hanameulu, Alfekini and Anahola, at 5 p. m. Schr. Kawailani, Moses, for Koolan ports, at 4 p. m.

S. S. Hongkong Maru, Filmer, for San Francisco at 10 a. m. Stmr. Mikahala, Gregory, for Kanal ports at 5:10 p. m.

Stor. Kausi, Bruhn, for Hanamaulu and Anakula at 1 p. m. Cana, schr. Eclipse, Gahan, for La-Kama, Kihei, Honoipu, Puuko, Kawithan and Kohala at 5 p. m. Stmr. Nilhau, for Kanaj at 5 p. m.

PASSENGERS.

Departed Per stmr. Mikahala, for Kaud, Nov 19.-Major Moen, M. A. Rego, E. C. Bruns, W. F. Love, A. F. Knudsen, H. Keegan, E. Tappan, Tannatt, M. B. Fernandez, W. Jellings, W. D. Adams, E. B. Anderson, B. H. Schultz, Father, Enneran, F. G. Douse, J. H. Fuller, C. A. Graham.

For Hilo and way ports, per stmr. Kinau, Nov. 17.-Miss M. Tuenas, Tan Wong, Tang Young, D. L. Van Dine, Dr. Cofer, M. O'Dowds, W. M. Graham, Wm. Al Ramsay, H. Wise, T. Johnson Rev. W. T. Westervelt, H. L. Herbert, R. A. Church, A. T. Miles, C. R. Hatfield, R. A. Jordan, W. C. Weedon, R. Anderson, S. R. Jordan, Dr. Katsunuma, F. M. Bechtel, Mrs. E. M. Brown and child, Mrs. Ames. Dr. R. G. Curtis and wife, J. L. Coke, Miss Lewis, Mrs. A. McLean, R. J. Taylor, Dr. Monsarrat, M. McStocker, Mrs. L. J. Moses, H. E. Picker, Julian Monsarrat, Mrs. F. W. Carter and son.

For Maul ports, per stmr. Maul, Nov. IV-A. Haneberg, Lum Seong, Dr. Miyota, T. Akuna and wife, Mrs. Halemano and daughter. Mrs. Geo. Wright and son, F. A. Alexander, Dr. Dinegar, wife, child and maid, Mrs. Tallant and child, Miss Rose Kaaibue, Mrs. Madeiros. Mrs. Fannie Oisen.

Per stmr. W. G. Hall, for Kausi, Nov. 17.--Mrs. A. Homer, nurse and two children; Mrs. Purvis, Geo. H. Fairchild, A. Homer, H. Schutte and wife, Wee Hing, F. J. Dillon, C. A. Rice and wife, Arthur Rice, John Malina, D. G. McKey, Dr. W. Hoffman.

Per S. S. Mosna, for Vancouver and Victoria, Nov. 17.-R. W. Hamilton. From Kausi ports, per stmr. Mikahair. Nov. 18.—Geo. H. Paris, J. Monahan, C. C. Eakin, W. Berlowitz, G. H. Pecht. Yee Sheong and 35 deck. From San Francisco per bktn. 8, N. Castle, Nov. 18.-Mr. Weisman.

From the Orient, per T. K. K. S. S. Hanktong Maru. Nov. 18.-For Hono-Mile-Mr. and Mrs. R. N. Patton and maid, Miss Mabel Sinclair, Mr. and Mrs. Thos. C. Jenkins, Dr. S. Kobayashi. Through J. Becker, Dr. E. Bedloe, G. Brockmann, A. C. Bryer, J. Wilbur Cate, Lt. Domingo Cavagnari, F. E. Eltonbead, Sir David Evans, J. P. T. Evens, Montague Evens, Miss K. Evans. J. Puithira. John Goodnow, Mrs. John Goodnew and maid. O. Kai. John Graeff Kennedy, Vt. H. G. Macfarland. J. B. McClonkey, Rear Admiral Carlo Mirabello and valet, Lt. Carlo Pfister, Dr. E. M. Shipp, A. H. Stewart, R. Tatsumi, Mrs. K. Tatsumi, Mrs. M. D. Thielkult, K. Umehara.

Booked.

Per S. S. Alameda, to sail for San Prancisco, Wednesday, Nov. 18, at 9 s. m.--Mrs. D. P. Smith, A. J. Wilson and wife, J. Michaels, J. J. Sullivan, Dr. M. E. Grossman, Col. Birkhimer and wife, the Misses Buber (8), W. Parquet, J. S. C. Preser and wife, Hon. W. G. Irwin, Mrs. E. R. Breed, E. A. France, A. Young, J. R. Galt, H. Haneberg, F. T. Paircloth, Thombury (2), Mat Lindsay, B. B. McClanaban and wife, S. A. D. Jones, Donald McGregor, Capt. Rapit.



### It. sp. Agostino Terrisano, from Ma- MARINES COMING ON THE SOLACE

The company of marines which has been ordered to Honolulu by the Navv Department will probably come on the Solace. Admiral Terry has received no official confirmation of the record that the marines have been ordered here, and the news of their coming on the Solace is also unofficial.

The press dispatches reported that an official order had been made stationing the marines in Honolulu, and it therefore seems very strange that gated. Admiral Terry who made the recommendation, which was favorably acted upon, received no word of the order. The navel transport Solace is due

here the latter part of this month or early in December, although no definite word has been received as to her sailing from San Francisco.

### **ELBA'S OFFICERS** ENTERTAINED

F. A. Schaefer, Italian Consul for Hawaii, entertained the officers of the Italian cruiser Elba yesterday. The men were taken for a drive to the Pall in the morning and after their return were entertained with luncheon at Mr. Schaefer's Nuuanu residence. Admiral Terry, Captain White and Captain Rodman and others also enjoyed the entertainment.

### ITALIAN SHIP ESCAPES A FINE

Acting Collector Stackable yesterday ffernoon decided that the Italian ship Agostina Terrisona is not liable to s fine for first failing to enter at Honolulu as required by her manifest. The ship was entered at the custom house in the afternoon and Collector Street able then investigated the circum stances of her fallure to put in at Ho-nolule as required by the shipping regulations. Technically the boat is liable tifying in relation thereto mere hear-to a 3500 fine, but the collector after say. Further, in two cases it was THE THING DONE ELSEWHERE. hearing the evidence decided that she was in distress and therefore entitled to put in at the first port. The Agostina at the time she was first sighted by the Mikshals was without chronemeters, both having stopped. The captain therefore put in at Makaweli where his chronometers were adjusted to those on the Edward May) She did not discharge her cargo at Makaweli but came to Honolulu as soon as possible. She will probably return to Koloa this morning.

### Bark Albert Arrives.

The bark Albert arrived yesterday from San Francisco after a very fast voyage of thirteen days. The captain reports a very pleasant trip. Ho brought down four passengers and twelve hundred tons of general merchandite.

### Alpena Cleared.

The schooner Alpena cleared at the custom house yesterday for Port Townsend. Captain Birkholm expects to sail this afternoon or tomorrow morning. The Alpena will finish discharging coal this morning,

Shipping Motor. The steamer Mikahala sailed for Kausi ports on her usual trip last ever ning. She took many passengers. Work is progressing rapidly on the

not be ready for use for several weeks. The Kausi salled yesferday afternoon at five o'clock for Anabola, Hanamaulu and Ahukinj with the Javahese laborers who arrived on the

### The Maru Sails.

The Hongkong Maru got away on time yesterday morning for San Fran-Governor Carter and W. O. Smith and other well known men of Honolulu were at the wharf to see the many prominent men on the steamer who are on their way to Washington.

### Consect on the Mibe.

The government band will give a concert on the Italian craiser Eiba this afternoon from three to five o'clook. Today is the anniversary of the Queen of Italy's birthday and Acting Governor Carter sent the hand as a compliment to the officer.

### Meradan Coming.

The Nevadan reached San Francisco from Kahulul last Tuesday. She is: scheduled to sail from the coast direct; late the election laws, still the proper for Honolalu tomorrow.

### Grand Jury Report Upon the Oahu Election.

A unanimous report of the grand jury of the First Circult Court we present ed before Judge Gear yesteray morning, finding that there was re foundation for the charges of frasi preferred in a secret document filedby C. W. Ashford, attorney and defeated candidate for supervisor.

This report is called a majorty report below for purposes of identification. because three of the member signing it presented a minority repor entirely repudiating the findings that they had loined their colleagues, in making, Double-minded men like these may not be rare, but they are an element, not usually desired in jury panel.

Judge Gear ordered the reports placed on file and granted a requist to excuse the grand jury until Morday, November 80. When Deputy Attorney General Peters suggested to he court that there were no importan matters for the grand jury to consider in the meantime, Judge Gear took Isue with him in an undertone of smething, probably, that required to b investi-

The reports of the grand jury are here printed:

MAJORITY REPORT.

In the Circuit Court of the First Judicial Circuit, Territory of Hawati, September, 1903, term. Hon Geo. D. Gear presiding.

In the matter of the grand jury, in and for the above entitled mort and Third Preliminary Report.

To the Honorable George D. Gear,

Second Judge of the First Court, Territory of Hawaii, presiding: Your above named grand jury having heretofore, to wit. on the 13h day of November, 1903, been duly charged by your Honor to investigate election frauds alleged to have been jommitted within the island of Oahu aid the jurisdiction of this honorable court, et and concerning the special dection of officers for the county of Calu, on the and day of November last; and having been given in hand a communication of C. W. Ashford, Esq., to your Honor, containing particular charges of election frauds and misdemeanors, retired and in accordance with sail charge, propeeded with the consideration there-

The grand jury first considered particularly the charges as contained in the communication of Mr. Aslford. and summoned before it the witness Whose names were contained thirein as well as others who were suggested during the course of their examination. From the evidence adduced by means of witnesses we are enabled to reports 1. Impersonation of voters.

Two charges of alleged impersonation of voters, and resulting illegal wiling, were found to be unfounded in fact, and the evidence of the witnessed teafound that illegal voting had been indulged in ,but the identity of the offenders was conflicting and seems to leged offense, and mala fides of the boats to these places were crowded. part of said inspectors does not appear. Evidence before this grand tury dis-

closes the fact that at several polling places attempts were made by pirtons to this grand jury unknown to vote in the name of other persons living but people and their money down here. absent from the Territory, and in all instances the person so attempting to holders, such an enterprise as I have vote was immediately exicted from the suggested, would not only pay good booth by the inspector. 2. Alleged rejection of ballots by

making thereon marks of identification with inked fingers.

Your grand jury particularly investigated the charge of improper identification marks thereon with inked fingers by the inspector of election count. report that the ink marks and marks of identification by means of ink appeared to be the result of carelessness of voters at the time of marking the ballots. In many instances ink marks were the result of soiled shelves in voting compartments. While many ballots were properly rejected through reproduction of the ink marks made by the voter in the folding of the ballot. And in view of the above facts ink stamps be eliminated from future Oceanic dock covering. The dock will elections. Your grand jury made anexamination of hallots rejected for the reason of ink marks and identification marks contained thereon in the 7th precinct of the 5th district, and we find that the proportion of Home Rule Hongkong Maru Wednesday evening and Republican ballots rejected bears the same ratio as the proportion of Home Rule and Republican votes cast and that therefore such rejection of ballots would have had no effect generally upon the result of election in that precinct. 2. Discharge of employee for political

PERSONIE.

We find this charge absolutely unfounded, and in the case of Government employes that their discharge was due to the fact of the financial condition of the Territory.

Tour grand jury further desires to report that irregularities in and concerning the election laws occurred at the polling place of the 7th precinct of the 5th district. And that such irregularities are due to the action of the chairman of the board of impectors, H. C. Birbe. While the wrand lary does not believe, and it sid not so find, that Mr. Birbe seted wilfully and with intent fraudulently to vioconduct of elections in the future!

mould be herrer subserved should Mr. Birbe and men of his character be bmitted from boards of inspectors. Respectfully submitted: Samuel Par-

ker, foremen grand jury, George J. Campbell, T. R. Mossman, A. R. Bindt, Chas. Wile x, P J Church W. Legrot. H. A. Giles W. L. Hatel, West L. Paterson, Ulysses H. Jones J. K. Inch, C. F. Herrick R. K. Pahan

MINORITY REPORT.

Monolula, November 19, 1903. To the Hon. Grorge D. Gear, Presiding Judge for the term of the Circuit Court for the First Circuit. May it please your Honor:

The understance members of the grand jury of this honorable court and with the investigatio, into the charges submitted to us of the frauds and offenses committed at the recent county. election for the county of Oahu, as follows: That many witnesses had been ex-

amined by the grand jury, who have also inspected many of the ballots cast in said election. That at no time during said investigation have there been more than fourteen members of the grand jury present, acting or voting. That it has appeared to the undersigned by a great mass of evidence, much of which was uncontradicted. Building. that serious violations of the election laws were committed at said election. and that indictments were justified by said evidence, but the meager number of grand jurors on the panel permitted and permits the defeat of any effort to indict, unless the grand jury shall be practically unanimous.

We feel that the fallure to return in dictments in this behalf amounts to a fallure of justice; we believe that should the same matters be submitted to a full panel of grand jurors, and the same facts be laid before such full panel, as

We therefore venture to suggest to this honorable court, in the interest of justice, and of the purity and indewhich were submitted by your Honor to this grand jury, be resubmitted to terially greater number of grand jurors grand jury. Respectfully submitted : Ulysses H.

Jones, R. K. Pahau, J. K. Inch.

## LOWER FARES NEEDED FOR TOURISTS TO COM

(Continued from page 7)

capital to charter a steamer of 5000 or 8000 tons capacity, or buy one already built, if a suitable vessel can be obtained, if not BUILD ONE, fit it with the best passenger accommodations, name it "THE CITY OF HONO-LULU," and paint it white. Advertise to carry passengers from S. F. and return, for seventy-five or something less less. than one hundred dollars, and make terms with some trans continental line. whereby round trip tickets can be sold from Chicago here and return for from \$125 to \$160 good for six months. Hingage some first class advertising agency in cities and particularly Ean Francisco to carry on the public streets. clace to carry on the public streets. Term: 5 years.
transparencies and other signs, having Upset rental: \$2.50 per age per an on them the price of a round trip num, payable semi-annually in ad-

On my trip to the coast, day and night, I have seen such signs carried lulu. up and down the streets of the cities have been done only after eareful ex-amination by the inspectors present at ets to Los Angeles, or Portland, or Se-the time of the commission of the al-Every hotel and resort are overflow ing at the present time with tourists in and around the cities of the coast.

Such a proposition as the above one is the only practical one to get these As a paying investment to the stock-

dividends, but would bring the desired HAS HAD NO TANGIBLE RESULTS

The Hawatian Promotion Committee, or any other styled committee can not bring about tangible results. through the methods they have been employing. The entertainments given ing the ballots. And we are enabled to in the States of course amused the people, and by the enthusiasm displayed, one would think that they would take the first boat for Honolulu, MORTGAGEE'S NOTICE OF INTENand no doubt many did start, but they got no farther than the transportation office, and went home, with only dim had been told about, all mixed up tohad totally amilitated the foe. All sayment of the principal and interest this talk at this end, too, about "prop- thereon when due. agandas" or pomegranates, and small | Notice is also given that all and farms, and sue speeches at social gular the lands, tenements and immeetings, is a waste of energy unless ditaments in said mortgage described you talk "steamboat," in a practical and hereafter described or so - 4. manner, like the neighbor of a widow thereof as may be necessary to an after did when speaking to another neight the amount due under said mor sage bor about how sorry he felt because and all costs, charges and exper-we at the poor woman had been burned out tending such sale and foreclosus - -"Yes," said the second neighbor, "I be sold at public auction by In "\*\* F feel corry about ten dollars ,worth," Morgan at his sales room on . . at ;putting hand in pocket, "how much do manu street, Hopolulu Birrent an And said she was surely one

affinated, and will not the they can game and to be wid. come here and see and leave. Why, It First. All those com-

The Home Rulers, Chemish J. M. Ales, 56,565 square likely

### BY AUTHORITY

PUBLIC LANDS NOTICE

Commissioner of Public Lands

A land-license for a period of 80 years, to collect, divert and sell the surface water and power produced therefrom, upon and from the public hands, situate on the latend of Hawali and lying between the son on the north; Waipio Valley on the Enet; Walpio Valley and the boundary line between the lands of Laupahoehoe 1 and 2, Nakooka, Apua, Walkapu and term beg leave to report, in connection Honopue on one side and the lands of Punkapu and Kawaihae I, on the other side, until such line reaches an elevation of 4,200 ft., thence a contour line of 4,200 ft. elevation to Honokane on the South, and the land of Honokane and the private land of Awini on the West, subject to existing vested rights of private parties in such waters, will be offered at Public Auction on Monday, November 30, 1903, at 18 o'clock noon, at the front entrance of the Judiciary

Persons competing at this sale will bid upon the rate per cent, of the net revenues of the enterprise carried on under such license, to be paid annually to the Government of the Tarritory of Hawall, from and after the third year of the term of such license.

A bond of \$10,000 will be required, on surety satisfactory to the Government, conditioned on the due performance of the requirement that \$10,000 were laid before us indictments would be expended on construction within 18 months. From the beginning of the term of the license \$500 shall be baid by the holder thereof to the Governpendence of the ballot it his Territory, ment, semi-annually in advance irrethat the matters concerning the recent apective of such rate per cent; the county election for the county of Oahu first payment of \$500 to be made at the fall of the hammer, by paying the another grand jury to consist of a ma- same to the Commissioner of Public Lands. Upset 5 per cent, on the net than fook part in the labors of this revenues. Any bid than on percentage of the net revenues will not be entertained.

> Full information in regard to other conditions of such license will be furnished at the office of the Commissioner of Public Lands. E. S. BOYD,

Commissioner of Public Lands. Public Lands Office, October 22, 1902 T. Leng.

PUBLIC LANDS NOTICE.

On Saturday, December 12th, 1903, at 12 o'clock noon, at the front entrance of the Judiciary Building, will be sold at Public Auction, the Leases on the following lands:

1. The government lands of Poheku haku and Kenau in Hamakua, Hawaii, containing on area of Macres, more or Term: 5 years. **可值为**。

Upset rental: \$2.50 per acre, per annum, parable semi-annually in advange. 2. The government land of Kohe,

Hamakua, Hawali, containing an area of 185 acres, more or less

For plan and further particulars, apply at the Public Lands Office, Hono-

ED. S. BOYD, Commissioner of Public Lands. Public Lands Office, Nov. 12, 1903. 2538

PUBLIC LANDS NOTICE

Notice is hereby given that Mr. W. G. Smith has been appointed Sub-Agent of Public Lands for the Sixth Land District, Island of Kaust, such appoint ment being dated 1st, 1903. Land Office is located on the prem-

ses of Mr. A. S. Wilcox, known as "Kilohana" on main road from Liliue to Kolos, in the District of Linus, Island ED. B. BOYD.

Commissioner of Public Lands. Public Lands Office, Honolulu, Nov.

### FORECLOSURES.

ISAAC TESTA.

TION TO FORECLOSE AND OF

Notice is hereby given, that by virtue recollections of beautiful palms and and in pursuance of a power of sale rainbows and volcanoes, which they contained in that certain mortgage deed dated March 2ist, 1901, and of gether, soon to be relegated to the record in Liber 221 on pages 127 to 129, shelves of oblivion. But the and made by Isaac Testa in his own this grand jury strongly suggests that; Hawaiian Promotion Committee went right and also as Trustee to The First on their way to the next town American Savings & Trust Co. of Hafeeling victorious, but their imagined wall, Ltd., the said The First Amerivictory was like the late Spanish gun can Savings & Trust Co. of Hawsii, ners who would point their gons some. Ltd., intends to foreclose said mortgage where in the direction of the enemy for breach of the conditions in said and biage a lits state, thinking they mortrage contained, to wit, the non-

Pour feel sorry?"

Raturday, the 28th day of them ber People of the States know practically 1863, at 12 o'clock them of the mothing of us here, for how we are. The property covered as a month

received a letter by the "" steamer, joins of land situate at max awa lajfrom one of the largest and oldet firms and of Onbu, be given weet and E doing business on Market + reef. S. Parof the Rosa Retain. . . a at Knalawall. who thought that Honelt was in theme a portion of it is a and set the Lanson Misimon of Free was and the W. MATLOCK - AVIBELL RETTO BE CONTROVED - AND TORIN DE ideed of redord in the .sk, page 40k

Oulsw aforesaid, and being lots Nos. 16 and It in Block 4 of Kapahulu lots, and sonveyed to Imac Tests by deed of record in Liber 188, page 466. Area, 10,000 PIPETO feet.

Third. All that parcel of land containing an ares of 2 \$4-100 acres situate at Manos, Cahu, being a portion of R. P. Grant 161 to W. H. Rice, Tr., and conveyed to lange Tests by deed of J. 8. Emerson, Commissioner, dated September 27, 1896, of record in Liber 156.

Fourth All that certain land situate ai Kawalolena, Honolulu, Ozhu, aforesald, containing an area of 78-100 of an acre, being a portion of Apana I, of R. P. 2697, L. C. A. 1165, and conveyed to Isaac Testa, Trustee, by deed of record

En Laber 141, page 9 Terms: Cash in U. S. Gold Coin Deeds at the expense of purchaser.

Dated Honolulu, October 19th, 1803.

THE FIRST AMERICAN SAVINGS AND TRUST COMPANY OF HAY WAII, LTD.

By its President, 2532-Oct. 28, 30, Nov. 6, 13, 20,

## NOTICE TO CREDITORS.

H. A. JAEGER,

The undersigned requests that all accounts and claims against him shall be handed in to Messre. Kinney & Mc-Clanahan, Judd Rullding, Honolulu, on or before November 20th, 1903.

IL A JAEGER Honolulu, November 5th. 1903. 6636 Nov. 13, 17, 20.

# FIR TAXES

### Collector Pratt Is Now Cleaning His Books.

Sixty suits for delinquent taxes were semmenced yesterday in Judge Dickey's court against as many taxpayers. Collector Pratt is determined to clear his books before leaving office in January and he will give the new aslessor, Curtis P. Iaukea, an almost clean set of books to start with. The suits instituted yesterday in dis-

trict court were mostly for back income taxes. About a year ago, when prominent merchants banded together to fight the income tax law, a lot of taxpayers refused to pay the tax, hoping to have the law declared unconstitutional. But both the late Judge Esteb and the Circuit Court of Appeals upheld the act and now some of those who falled to settle will have to bay the original tax, with ten per cent penalty nine per cent interest, and court costs, making the government's bill almost double the original amount. The suits yesterday were for amounts ranging from one deliar to eighty doslars without the accrued costs. Many I 11956 sucd are employed in various large corporations in the city, and the employing company is garnisheed in almost every case. The suits against government employes have all been brought and private individuals are next in line. The hearings are set for Tuesday.

### WRIT OF ERROR IN PEABODY CASE

Lucy K. Peabody yesterday sued out writ of error in the Supreme Court in the case of her suit against the trustees of the Bishop Estate. She alleges that the judgment rendered in favor, of the Bishop Estate was erroneous and asks that the Judge directing the verdict be reversed.

### MRS. BINGHAM LAID TO REST

Mrs. Hiram Bingham was laid to rest vesterday afternoon in the Bingham plot in the rear of Kawaishao church, where so many of the missionary fathers and mothers are burled.

The funeral service was held at he fam ly residence on Alexander street at three o'clock, in the presence is a large gathering of friends. Rev. W. W. Rin aid had charge of the series The floral offerings were beautiful and miscous, rich and poor alike rasens

or r tribute to the dead. A junitette composed of Mariana Hare, W. W. Hall and The both arts same "Dawn" Mr. Riv a 1 and a feeling tribute to the deceased varing that he had not known her 'n sirenat ut learned to know her well it so to peas. He characterized have a similar

MAINTE," After a short prayer the countries mang "We Would See Jesus At the grave the quartette sang As eas in Jerus." The paideaners were in H 's PRIME S CORES A P MINE ET

example of patience in lors suffer as

and From A . A examina

Stewart filed an election of the test setter the state of the state of

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